

**The East African Community: Union of governments or Union of the People?**

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# ABSTRACT

In this thesis the question of how the EAC can become embedded into civil society is analyzed. In formal African integration schemes a common problem is the lack of public participation and inclusion of civil society actors in decision making processes. In the East African context, the EAC has historically been a statist regionalization project focused on strengthening the national economies of the east African states, not the integration of the east African peoples. As illustrated in this thesis, this trend continues in the present rebirth of the EAC, where political elites have recreated the EAC as formal regional intergovernmental integration scheme focusing on economic integration as a tool to stem negative influences of economic globalization. The exclusive focus on macroeconomics and intergovernmental cooperation has alienated the EAC from ordinary east Africans which view this regional institution as an elite project set up to benefit political elites in East Africa. Two problematic areas stand in the way of broad based regional integration in East Africa, firstly the dogmatic conception that regional integration efforts must be based on the post colonial African state, which due to its colonial legacy is a feeble and volatile foundation to build regional integration efforts upon. Political elites have appropriated the state for their own interests in order to secure political power and access to public resources and are hence unwilling to concede substantial national sovereignty to regional integration schemes which effectively are capable of limiting their political hegemonies. Statist regionalism therefore offers political elites optimal conditions to keep political control over political decision making processes at a regional level. The second impediment to sustainable regional integration is the manipulation of social identities during political contestations, “identity politics”, which is a common political strategy among east political actors to obtain & maintain political power. As east African examples show, ordinary citizens are mobilized & exploited by political actors during political elections and periods of regime crisis to support their candidacies and attack political opponents and groups which stand in their way of obtaining political power. In order to negate these tendencies and to link the EAC to East African civil society, various socio cultural integration mechanisms and political reforms were identified which could foster broad based regional integration in East Africa. Firstly the creation of EAC citizenship, formal travel documents and open border crossings were pointed out as mechanism to initiate people based regional integration. Secondly the promotion of Kiswahili as a regional first language was pointed out as a vital integration factor, enabling broad based interaction and understanding between east Africans. EAC citizenships & the common use of Kiswahili were singled out as vital ingredients in an emerging regional identity formation – “East Africaness” – was carries the promise of reconciling many of the current identity conflicts in the east African region and could foster “people based” regional integration instead of the present economic integration measures benefiting the east African states. Secondly east African regional CSO’s have been proactive campaigning for essential constitutional and institutional reforms of the EAC which could make the organization citizen inclusive. Regional elections to the permanent EAC institutions and referendums on vital integration measures were pointed out as constitutional reforms to give east Africans a direct say in political decision making processes. Furthermore civil society actors have promoted the creation of a permanent civil society advisory council in the EAC to devolve the executive wings some of its powers. In addition, since the EAC suffers from a fundamental information and communication deficit, the creations of national “people’s assemblies” were proposed as institutional mechanism to initiate public participation in the EAC. Since the EAC bureaucrats have so far shown little inclination to initiate these citizen inclusive reforms, regions CSO’s strive to create regional networks and encourage ordinary citizens via information campaigns to take part in the struggle to democratize the present national and regional governance structures. If regional CSO’s should succeed in these endeavors, the EAC could indeed become embedded in civil society, but given the presented obstacles and involved interests, they face a monumental task.

# List of Abbreviations

CCM- Chama Cha Mapinduzi (Kiswahili for”Party of the revolution”)

CET- Common External Tariff

CSO-Civil Society Organizations

CU- Customs Union

CUF- Civic United Front

DRC- Democratic Republic of Congo

EA- East Africa[n]

EABC- East African Business Council

EAC - East African Community

EACJ - East African Court of Justice

EACSOF – East African Civil Society Organizations Forum

EAHC-East African High Commission

EALA-East African Legislative Assembly

EALS-East Africa Law Society

EATUC- East African Trade Union Council

FDI-Foreign Direct Investment

IGAD- Inter-Governmental Authority on Development

IMF-International Monetary Fund

IO- International Organization

IPE- International Political Economy

IR- International Relations

KANU- Kenyan African National Union

KCK- Kituo Cha Katiba (the east African centre for constitutional development)

MNC-Multi National Corporations

NARC- National Alliance of Rainbow Coalition

NGO-Non Governmental Organization

NRM- National Resistance Movement

OAU-Organization of African Unity

ODM- Orange Democratic Movement

PM- Parliamentary members

RTLM- Radio Télévision Libre des Mille Collines

SADC-Southern African Development Community

SAP-Structural Adjustment Programs

SME- Small to Medium Enterprises

SSI-Semi Structured Interviews

WB-World Bank

WTO- World Trade Organization

WWII- 2nd World War

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# Introduction

My initial interest in EA integration, primarily stem from discussions with Rwandans, from my stay in the country 2006-2007. During those days both Rwanda and Burundi joined the EAC (see appendix 1), and membership of this regional organization stimulated lengthy discussions, hopes & fears among Rwandans about the consequences and possibilities of EA unification.

Usually questions of EA regional integration are tackled at an intergovernmental level between heads of state, national parliaments and regional institutions, but these issues also have tangible impacts on the lives of ordinary citizens. During a bus trip in Rwanda, I talked to a young man that was returning to his family in DRC. Discussing the job situation for young people in EA, he explained me one of his greatest predicaments;

“*In Rwanda they call me “Banyamulenge* [ethnic group in DRC] *and tell me to go home. In Congo they call me “Banyarwanda”* [rwandese] *and tell me to go back to my people. I have family on both sides of the border, but am a stranger everywhere I go, what can I do? Many youth are in the same situation as me, pushed around and confused about where we belong, who we are and what we can do to improve our situation. Perhaps we need to forget about the borders and groups and unite as one people in East Africa, but there is so much hatred and fear that I think the situation will last forever”* (personal communication, 5/8/2006)

Questions of social identity and regional integration are not just academic concepts used to describe social reality and political processes, but have concrete influence on the lives of ordinary citizens in EA**,** as indicated above.

An essential question in relation to the EAC is whether it’s a instrument created by state bureaucracies and political elites to further their own interests, or for the benefit of EA citizens. Essentially the challenge remains how to embed formal statist integration projects into civil society; in other words how can the formal structures of the EAC become connected organically to its peoples and socio-cultural context of EA?

So far integration processes in EA have been driven by narrow nationalist interest where the EAC is to benefit governing elites. Regional integration polices are promoted by state leaders as a solution to negate the negative consequences of economic globalization. In the face of socioeconomic crisis, financial competition & unruly international markets, statesmen see regional integration in the EAC as a way to strengthen national sovereignty and political bargaining power on the international stage. The EAC can presently be seen as an intergovernmental process focused on political and economical objectives, lacking participation from civil society and the private sector. EA integration processes are thus politically orchestrated “from above”, where politicians impose a political order and various policies on their citizens without consulting and involving ordinary people in decision making processes. The EAC has so far yielded little practical benefits for ordinary EA; however the envisioned sequel of a customs union, common market, monetary union and a political federation, holds far reaching prospects for EA regional integration, but also central paradoxes which form formidable stumbling blocks for integration efforts. A central paradox is that national governments, by engaging in the EAC have to transfer sovereignty, resources and personnel to regional institutions that gradually limit the power of EA political elites.

The empowerment and participation of civil society actors in the EAC could initiate a democratic renewal of present state structures that would negate the absolute powers of the heads of state and thus limit their access to resources and decision making privileges. Likewise it would be difficult for politicians to engage in identity politics and manipulation of ethnic sentiments in their quest for political power, if citizens had a common EA identity that united them.

On a general level this thesis touches upon the question of how an exclusively state led regional integration project can become embedded and shared by EA civil societies. In order for the EAC to succeed integration processes need to be created for and shared by the broader populations in EA. Without a common vision and wide spread consensus on how and by what means EA integration should proceed, the EAC as a political project is doomed to fail because it does not represent the aspirations of ordinary EA, but the narrow interests of political elites.

A common vision of the EAC and a practical consensus on integration measures, has to be cultivated between national governments, civil society institutions and business actors that only through reciprocal participation in institution building, policy formulation and implementation of tangible development projects will accomplish EAC’s stipulated goal of a fully integrated political federation. Embedding the statist integration process of the EAC into EA civil societies, does not imply a complete role reversal whereby civil society actors take over the responsibility for EA integration processes. Rather it entails, among EA power holders, a paradigmatic shift towards recognizing that regional integration cannot solely occur on a macro structural level between state institutions, but has to encompass the incorporation of ordinary EA and their organizations into participating in formal decision making processes. Formal political structures remain important as points of reference, arranging an enabling environment for regional integration processes, but in order to create a civic responsive integration framework, CSO’s and the private sector need to be accorded formal statutes, positions and responsibilities within the EAC. Reconciling the EAC with civil society could infuse the present integration process with the one element that has eluded it: popular participation & support. Despite all the weaknesses of CSO’s, they have been effective in empowering and mobilizing support among ordinary citizens, and if granted formal rights and recognition, CSO’s could function as gateways for public participation and justification of the integration project.

The present integration measures can be classified as “old wine on new bottles”, the EAC is still lead by government leaders and serves their whims and dictates, but by integrating EA “from below” through improved interaction of civil society actors, an EA regional identity – “East Africaness”- based on the regional language Kiswahili & EAC citizenship, could form a more deep rooted foundation for regional integration than the present political-economic interests of state leaders. This way the EAC could truly become a “union of the people”, and not a “union of governments”.

In order to illuminate the issues outlined above, this thesis will be structured into 6 sections. Section 2 deals with the problem formulation and related theoretical hypotheses that are used to guide this project, in section 3 the research design, methodology and limitations of the thesis will be mentioned. In section 4 the theoretical framework will be laid out and in section 5 empirical information on the history of the EAC, its present state and regional CSO’s are mentioned. Section 6 will weave the different strands of the thesis together in an analysis to answer the problem statement and theoretical hypotheses, and section 7 will end the thesis with a conclusion.

# Problem statement & theoretical hypotheses

|  |  |
| --- | --- |
| **Problem statement:** | **How can the EAC become embedded in civil society?** |
| **Theoretical hypotheses** |  |
| **1.** | **Contending EA political elites manipulate and exploit social identities and ethnic groups in order to secure their claims to political positions and state resources.** |
| **2.** | **The creation of an integrated regional identity among east Africans based on shared regional citizenship and language is essential to make the EAC a successful integration project** |
| **3.** | **CSO’s can function as effective participatory structures and encourage civic engagement in socio-political processes and can thereby become means to link the EAC to civil society.** |

To clarify the problem statement above, it deals with the broad question of how the EAC can become rooted in civil society. In order to disclose the internal logic of this project and to present the research question and theoretical hypotheses in a straightforward manner the table above has been created which will serve as a steering guide through the thesis. The table should be read in a hierarchical order starting out with a broad open ended research question, leading into 3 theoretical hypotheses which are examined in the thesis to find answers to the research question. In the next section, the methodology of the thesis will be outlined, to illustrate the research design, information gathering methods and limitations inherent in this thesis.

# Methodological considerations

This section is divided into 2 parts, 1) outlining the methodology, research design, investigation methods & data sources of this thesis and 2) the thesis limitations

* 1. **Methodology, research design, applied methods & data sources**
     1. Methodology & research design

A fundamental dispute in sociological theory (Hylland-Eriksen 1993) has evolved between proponents of procesual and structural theories of how social structures in society evolve are maintained and change. Actor oriented scientists argue that the actions of individuals and groups are fundamental for the social structures & practices existing in society, whereas structuralists view society as composed of various social institutions with specific functions that sustain the social structure of society. *Social constructionism* & *interactionism* spring out of this fundamental scientific debate, and are the theoretical points of departure of the methods and theories used in this thesis and constitute its methodology. Social constructionism as a theoretical paradigm was initiated by Berger & Luckman which presented a social theory of how social realities and structures basically are shaped and changed through ongoing processes of human transactions. Their fundamental insight is that human knowledge and reality perceptions are created and altered through social interaction, whereby humans through socialization processes are introduced to the social world which they through their actions and discourses reproduce and alter. These insights sparked a new scientific paradigm *”social constructionism*” that in opposition to positivist accounts of social reality which are based on universal laws and mechanisms, argued that all social phenomena are creations of human transactions and that knowledge is socially constructed. By emphasizing that social phenomena are constructed by humans in a social context, it becomes possible to deconstruct and investigate how and by which means social institutions and reality perceptions are created and maintained.

Social constructionists emphasize that the social world is a product of the intersubjective interactions of social actors, and that social phenomena needs to be related to a social context in order to grasp their meaning and impact on a given society. The implication of these insights is that social constructs such as “the state”, “ethnicity” & “the EAC” should not be seen as natural, objective entities, but as specific historical constructs, created by social actors with specific aims. *Interactionism,* a sub variant, emphasizes that social structures are generated through individual and group transactions and that societal change can occur when actors’ priorities and transactions alter. Social actors establish “society” through repeated negotiations and transactions, where consensus over common values and social institutions are achieved. Since importance is attached to the strategic transactions of humans, qualitative methods such as participant observation and interviews are utilized to capture inter subjective meanings & strategic choices embedded in social actors’ transactions.

To understand meanings and social actors’ transactions, primary importance is attached to the statements & “points of view” of individuals and groups, and therefore quantitative methods utilized in positivist sciences are ill suited to grasp the subjective attitudes of social actors. Therefore to obtain an understanding of how social actors in EA CSO’s perceive and judge the EAC, qualitative interviews are used to give the reader concrete “snap shots” of how various social actors judge current EA integration efforts.

Having uncovered the methodological foundations of this thesis, the accompanying choice of research design and methods will be disclosed. The research design utilized in this thesis must be classified as *deductive*, since the thesis writing process was initiated with a broad literature review which gave me a general overview over the subject and inspired the theoretical hypotheses stated in section 2 which will be juxtaposed with empirical material to test their validity.

As B. Mikkelsen emphasizes; “*The deductive approach in which one begins with abstract ideas (e.g. hypothesis) and then collects concrete,* ***empirical*** *details to test the ideas. One’s point of departure in theory or hypothesis is made explicit”* (Mikkelsen 2005:168).

I judged a deductive approach most functional, initiating my research with broad theoretical concepts and hypothesis and comparing these with empirical realities in EA. A second reason for choosing a deductive approach was practical; originally I envisaged conducting a short field trip (1-4 weeks) in EA, to meet, interview and get contacts among various informants. Despite numerous phone calls and emails, the EAC secretariat proved unwilling to provide any information on their relationships to CSO’s, and during subsequent discussion with researchers, I was advised to scale down my qualitative research because of the political sensitivity of my research topic which according to them is hotly disputed between the EAC secretariat & CSO’s which feel marginalized by EAC staff. Due to these circumstances, and lack of time & financial resources, I settled for a deductive approach and a “light” version of qualitative research, to get primary information from EA CSO’s.

* + 1. Applied methods & data sources; SSI & literature reviews

Two main research methods have been used to obtain information; SSI and literature reviews, which in turn produce the primary and secondary data sources used in this thesis.

In order to present primary data, I used telephone SSI to call key informants to get their inputs on the EAC and EA integration processes. I have been in contact electronically with different institutions and contact persons (appendix 5) in my research to get relevant information on the various relationships between the EAC and the CSO’s. I conducted 4 telephone interviews of 25-35 minute’s length with selected key informants.

The interview method used was SSI whereby I let informants speak frankly about issues pertaining CSO’s, regional integration and the EAC. I opted for SSI because this method enabled me to get detailed information of the organizational relationships between CSO’s and EAC, and infuse view points of key actors into this thesis. Excerpts of the interviews will be utilized in the analysis section where they are juxtaposed to the theoretical framework & empirical data of section 4 & 5.

My interview tool was a flexible check list (see appendix 7) which I used to pose key informants probing questions to obtain an open ended guided conversation that would give me some primary information from civil society actors. The telephone checklist was created using open ended questions which enables the interviewer to pose simple questions the informant can answer openly without restricting the choice of answers. I selected key informants on advice I received from the initial contacts. The interviews were recorded verbatim, and I’ve transcribed them individually. Since some key informants were worried that the information & views disclosed could have political consequences for them and their institutions, all interviews will remain unnamed for ethical reasons.

The secondary data used in this thesis derive from a literature review I undertook in order to get a theoretical understanding of the issues mentioned in this thesis. The secondary information stem from a wide variety of sources ranging from books, academic journals, working papers, reports, draft proposals, concept papers, newspapers, treaties, manuals from the EAC & EA CSO’s, internet publications & data from organizational web pages. I relied heavily on data found in the internet and since the authenticity of internet information is contentious, I’ve provided accurate web references and access dates to make my internet search transparent. Since all research methods entail strength and weaknesses, and they determine the data produced, any research will have “blind spots”. The thesis’ limitations will be outlined in the following section.

* 1. **Thesis limitations**

A major limitation of this thesis is the limited value of the empirical data which cannot be seen as representative for all regional CSO’s operating in EA. SSI is usually utilized during interviews with individuals or focus groups where the interviewer and interviewees sit together for an a longer period of time which gives the researcher time to pose probing questions and the interviewee opportunity to explain themselves comprehensively. By modifying SSI and using a “light version” where the telephone is the primary investigation tool, the interview process becomes more one-sided, since time is constricted and the interview context is hidden for the interviewer. The data generated from these telephone interviews should thus be seen as subjective statements from particular social actors’ that are not representative of all EA civil society actors. The statements given by selected interviewees is difficult to verify and validate, and should only be seen as “snap shots” of how certain civil society actors view the EAC and EA integration processes. Another limitation is the selection of key individuals and regional CSO’s mentioned in this thesis. Since I was not able to undertake concrete field studies in EA, I had to rely on the information and contacts given to me by the persons indicated in appendix 5, and the key individuals interviewed all originate from organized formal CSO’s and thus only represent one segment of EA civil society. By only interviewing representatives of formal CSO’s, statements from informal civil society actors and EAC staff have not been documented. Despite these limitations, the alternative of only relying on secondary materials from the literature review would have made the information disclosed in this thesis superficial and detached from the civil society actors which attitudes and transactions are essential in understanding current EA integration efforts and transformations needed to make the EAC a citizen inclusive organization.

Having disclosed the methodology, research design, the applied methods and the limitations of this thesis, a theoretical framework is created to present various theoretical insights that will be used in subsequent analysis.

# Theoretical framework

In order to investigate the problem statement and theoretical hypotheses of section 2, the following theoretical framework is constructed to understand the elements of this thesis in a general perspective. The theories mentioned should be seen as an academic toolbox helping to understand and study the dynamics & processes of the EAC and its various actors. To make the framework coherent, it will be separated into 4 interlinked sections; 1) general theories of regional integration, 2) the post colonial state in Africa, 3) Social Identity Theory & identity politics, 4) Civil society theory & regional CSO’s. The theoretical framework will later, together with empirical information from section 5, be used to analyze how the EAC can become connected to the civil societies and socio cultural contexts of the region.

* 1. **Theories of regional integration**

This section will provide some generally applicable theories on regional integration that in a macro perspective can explain governmental interests in regional integration schemes and illuminate different types of regional integration in Africa.

* + 1. *Economic globalization & national motives for regional integration*

The current world order is often summarized with one word, “*globalization*” which meaning due to its manifold use has become a “buzz word” which has watered down the essential implications of this concept. According to Edelman & Haugerud, globalization has 3 essential meanings:

”*as free market or neoliberal economic policies, which became dominant during the 1980s and 1990s. Globalisation has at least two other common meanings: the increased integration of various places into the world economy, and the effects of vastly improved transportation and communication systems on multidirectional cultural flows*” (Edelman & Haugerud 2005:3).

Corresponding to this definition, economic integration is the central tenet of globalization which implies a global economic process whereby national economies are integrated into a global economic system via international “free market trade regimes” and neoliberal economic policies that aim at binding national economies together in a global capitalist market system. (Ajulu et al. 2005) The national economies are integrated into this system via the homogenization of finance mechanisms, regimes and transactions in international organizations such as the WTO, IMF & WB. IPE is not only tied together by bureaucratic, technological and judicial systems that ensure the continuous transactions of international economic actors, but also by a political ideology, “neoliberalism” which provides the raison d’être for and legitimizes the current global world order. Neoliberalism champions the virtues of capitalism, liberal democratic systems and the superior role of the free market economy.

The net effect of these processes is that the national economic systems have become interconnected to such an degree that they no longer are controlled exclusively by the interests of states and their governments, but also by IO’s, MNC’s and flows of FDI. Economic globalization poses both opportunities and threats to states, since the national economies are dependent on the international economic system to achieve economic growth and wealth, and at the same time suffers losses of sovereignty and political bargaining power since states are not in control of the MNC’s, IO’s and investors that facilitate the global flows of capital, FDI and trade.

The increased flow of transactions between various actors across the globe is powered by technological advances in electronic communication and transportation that enables transcontinental travelling and instant communication among people and organizations across the globe.

Despite these merits, economic globalization has not been an undivided blessing for all countries across the globe, creating significant socio economic fragmentation in IR where a minority of countries & organizations can take advantage of the possibilities a globalised economy order offers, while a majority of states and citizens suffer the negative consequences of economic globalization.

The political response to heightened global competition, social insecurity and economic instability generated by international markets, are regional integration schemes that are set up to shelter the states from the negative consequences of economic globalization.

As Ajulu et al. state:

*“Confronted with the dictatorship of the market with its requirement that the state surrenders portions of sovereignty, states increasingly seek protection in regional arrangements in which they may pool their sovereignty and collectively face the daunting challenges of the global market”*(Ajulu et al. 2005:34).

Regional integration can thus in a macro perspective can be seen as an attempt of governments to contain the negative consequences of economic globalization and reestablish sovereignty in a regional framework. The basic rationale behind economic regional integration is that the individual states are not capable of withstanding the pressures of the global markets, and by integrating regionally, an agglomeration of states have better chances to compete and prosper in the global economy. By creating regional institutions, policies and trade regimes, governments have a possibility to influence and control the flows of capital, investment and resources which are vital for national development strategies. By approaching the global markets as a regional bloc, the individual member states gain advantages in form of enhanced bargaining capacities, increased competitiveness, industry specialization and regional trade agreements. Regionalist projects, seek to mediate and reconfigure the global economy so that it benefits the specific region, and make the global flows of financial capital, commodities, people & communication manageable for governments within regional frameworks.

Regional integration schemes can therefore be understood as *protection mechanisms* of states to negate the disruptive effects of international trade. In the next section some basic concepts of regional integration will be mentioned to establish distinctions between different modalities of regional integration in Africa.

* + 1. *Regionalist integration schemes & civil society regionalization processes*

On the African continent there are broadly two contending modes of regional integration that can explain why social actors create regional entities and maintain regional integration processes. One way to create regional integration is via the *regionalism* approach, which denotes a political project that via normative frameworks seeks to create regional entities through treaties, policies, creation of common institutions and services. As Farrel et al. point out:

“*The notion of regionalism will specifically refer to ideas or ideologies, programmes, policies and goals that seek to transform an identified social space into a regional project.* (Farrel et al. 2005:173)

By drafting and signing regional treaties, setting up regional institutions and formulating common policies, governmental actors create regions and regional integration on a macro level. The focus of a regionalist approach is on creating formal frameworks and institutions that can further the realization of negotiated strategies and goals. Regionalist projects are furthered by state actors that see regional institutions as tools to further national interests and protect their economies against the negative effects of globalization as emphasized in section 4.1.1

The second contrasting form of regional integration is indicated in the notion of “*regionalization”* that according to Farrel et al. can be understood in the following way;

*By contrast regionalization refers to processes and outcomes. Regionalization is simply an outcome of the behavior of agents […] whose activities contribute* ***de facto*** *to the formation of regional spaces although they are not motivated by a regionalist project. Emphasis is laid on transactions and interactions as opposed to cognitive representations and formal arrangements* (Ibid:173).

As indicated in the quote above, regionalization processes stem from the transactions of a multitude of social actors that via trade, communication, immigration, cultural exchange and other ways of interaction, concretely, “on the ground” create regional clusters. Integration thus evolves as a consequence of practical conditions and pragmatic considerations. Regionalization must be understood as a gradual, long term process whereby civil society actors due to their various transactions and connections construct regional networks, communication patterns and institutions that de facto lead to regional integration. In Africa, these regionalization processes in many cases crystallize in the form of transnational, cross border networks of commercial, ethnic and religious groups that operate in contradiction to and beyond the control of national governments.

In the African context, the rift between governmental integration projects and civil society regionalization processes is pronounced. As Farrel et al. state:

“*In Africa, regionalist project are commonly disconnected from patterns of regionalization: in addition, regionalization tends to proceed through state failure or its unwillingness to assert territorial control. The formal stability of boundary lines and the deeply fragmented political map of the continent reflect on the weakness of regional integration and regionalism as supranational or transnational projects.* (Ibid:184)

In order to initiate sustainable regional integration, an essential challenge becomes to connect the formal regionalist projects and alternative regionalization processes, to create frameworks that benefit the majority of Africans.

In order to focus on the central role of the state and its governing elites play in relation to regional integration efforts, the next section will deal with theoretical concepts on the post colonial state in Africa that can explain the historical and normative background of current states and the logic behind governmental transactions in regional settings.

* 1. **The African post colonial state**

The African states are key actors in the present regional integration efforts in EA. Therefore it’s important to gain a theoretical understanding of 1) the historical background of African states and 2) their normative and judicial foundation which are explanatory factors for state actors’ transactions in regional integration schemes.

* + 1. The historical background of Africa states.

Conceptualizing the origin of nation states, it’s important to remember that these entities are not natural, geographical forms, but the outcome of specific actors’ transactions and historical processes that organized the world into the current patchwork of states. As Jackson mentions:

“Far from being natural entities, modern sovereign states are entirely historical artifacts the oldest of which have been in existence in their present shape and alignment only for the past three or four centuries” (Jackson 1990:7)

The “reality of the nation state” was created deliberately via the “invention of tradition” (Hobsbawm & Ranger 1983) whereby the nation state was grounded in invented myths and folk traditions, and the cognitive construction of an “imagined political community” (Anderson 2001) supposed to be internally homogenous & sovereign with territorial boundaries. This European invention was extended globally through voluntary approbation or colonial conquest as was the case in Africa.

Pre colonial societies in Africa varied significantly from the bounded European states. Before the colonial age the African continent was inhabited by ever changing constellations of kingdoms that ruled their subjects via patronage networks. The EA region was populated by fluctuating kingdoms, traders and war lords that had control over specific areas and trade routes. African societies (Medard & Doyle 2007) were characterized by osmotic ethnic communities with a core area of organized governance with a king or supreme chief and peripheries that were scantly controlled and frequently changed alliances between different ethnic groups. The reach and capacity of pre colonial African communities was an outcome of wars, alliances and negotiations between the different ethnic communities and were thus in a state of constant flux, lacking territorial demarcations. In Berman’s words; “*Pre-colonial political and socio-cultural boundaries were marked by fuzziness and flexibility, and Africans existed within a reality of multiple, overlapping and alternative identities”* (Berman 1998:310)

The advent of European colonialism in the early 19th century shattered the cohesion of African communities and imposed new administrative demarcations on the continent which gradually would develop into replicas of European states. In the racial optic of European colonialism, the African plurality of kingdoms, ethnic groups, languages and cultures were seen as barbaric, and under the pretense of bringing “order and civilization” to the continent, Europeans sought to “modernize” Africa by creating administrative structures and educational systems which should salvage Africans from their inborn primitivism. The colonial “civilizing mission” lead to the creation of artificial state entities that had the twin purposes of controlling the populations via authoritarian bureaucracies that categorized Africans into invented ethnic “tribes” and set up economies that were geared for the extraction of primary commodities that could be exported to European markets. The European rights to colonial dominion were sanctioned in the 1884-85 Berlin conference, where Africa was officially carved up into colonial territories with official boundaries. These were negotiated and established without regard to existing social formations. In Prah’s optic;

“*The so-called nations of Africa were arbitrarily drawn up in the late 19th century. These shapes had never existed before. Indeed, the Europeans paid no attention to the historically existing formations and in some cases drew boundaries in straight lines through long existing social formations”* (Prah 2002:15)

African states did thus not materialize out of historic processes and “imagined communities”, but out of arbitrary colonial demarcation processes which imposed inorganic political structures on the continent. By creating administrative structures that were modeled on the European states and refusing to build state institutions in congruence with existing socio-cultural formations, colonialists created state entities that were void of political legitimacy, social cohesion and had major structural deficiencies which hindered African states from becoming self sustaining entities later on. According to Berman;

“*The colonial legacy of bureaucratic authoritarianism, pervasive patron-client relations, and a complex ethnic dialectic of assimilation, fragmentation and competition has persisted in post colonial societies*” (Berman 1998:305)

In other words, the colonialists created state structures with systemic deficiencies such as bureaucratic centralization, patronage networks and the political strategy of pitting ethnic groups against each other to maintain power, a legacy which persists in the post colonial states.

These deficiencies were not corrected at African independence; instead the colonial states and their borders were “frozen” and were attributed sanctity by the OAU & UN. The “colonial state template” was retrained at independence to avoid continental fragmentation and secure a swift power transition process from colonial to local elites, but the feeble and incongruent state foundation remained. The post colonial states obtained their shape, institutions and infrastructure from the colonial era, but crucial elements of “nation building” with comprehensive national integration & identities did not follow the colonial inheritance. By taking over and expanding these state structures at independence, political elites faced the daunting challenge of trying to create unity and social cohesion among various ethnic groups that were forced together during colonialism. Nation building lagged behind state formation, and never took root in many states where ethnic groups shared cross border affinities, not loyalty to the state. A major consequence of the lack of socio-cultural homogeneity and national unity in post colonial Africa, is a fundamental legitimacy deficit of the state and its governing elites. Precious few states can exhibit congruence to pre colonial institutions, and hence suffer from reoccurring legitimacy crises that surface in violent bouts of ethnic and religious clashes and the patrimonial policies of political elites that use state resources to build political legitimacy based on ethnic patronage networks. (Berman 1998, Englebert 2000 & Prah 2006)

In face of the historical sketch above, the question remains, what political mechanisms and normative frameworks do sustain Africa states and legitimize their continued existence? In the next section the normative framework of decolonization will be laid out which informs the ideological foundation of African states.

* + 1. Decolonization, negative sovereignty & quasi states.

The colonial world order came to a rapid halt after WWII. A radical change in the normative values of IR, in a matter of decades dismantled the colonial empires, and instituted a new world order based solely on sovereign nation states which had equal judicial standing in IR disregarding their historical position under colonialism. According to Jackson;

“Self determination, perhaps the leading idea involved was institutionalized as a primary international value in the Charter of the UN. The European colonial powers were unable to sustain widespread belief in the legitimacy of colonialism. (Jackson 1990:16)

As indicated, the colonial world order was primarily chattered due to a shift of normative values in IR that deprived colonialism of its political legitimacy. Two fundamental “normative innovations” pawed the way for a post colonial world order based on sovereign states: self determination of ex colonies and development entitlements (Jackson1990:40) for these to “catch” up with western standards of socioeconomic growth.

This normative framework, led to the creation of a multitude of independent states that owed their existence to an international system which guaranteed the new states judicial statehood via international law and diplomatic recognition.

Former colonial entities were attributed judicial sovereignty due to their moral rights of “categorical self determination”, not empirical realities, and these international attribution processes, pawed the way for a new sovereignty doctrine in IR, “negative sovereignty” which is the normative and judicial foundation of present African states. According to Jackson;

“Negative sovereignty can be defined as freedom from outside interference: a formal-legal condition. It’s a formal-legal entitlement and therefore something which international society is capable of conferring. Negative sovereignty is the legal foundation upon which a society of independent and formally equal states fundamentally rests” (Jackson 1990:27)

Negative sovereignty was thus an international normative and legal framework which assured the newly independent states sanctuary from external interference and sustenance via development aid to the underdeveloped ex colonies.

By formally declaring former colonies independent, and transferring legal sovereignty to African elites, colonial empires avoided the strenuous and costly endeavor of preparing their former colonies for self government materially, institutionally and economically, and thus the decolonization process structurally handicapped African states from the start. The colonial powers and indigenous elites benefitted equally from the allotment of negative sovereignty, since European states were able to retract swiftly and concentrate on restructuring their war battered societies and local elites could resume state power without needing to rebel and arrange democratic consultations with the broader masses. The consequence of the negative sovereignty regime was the creation of “quasi states” that function on the behest of indigenous political elites and mercy of the international community, not empirical socio cultural conditions. In Jackson’s view;

*“Third World states are not consisting of self standing structures with domestic foundations-like separate buildings- but of territorial jurisdictions supported from above by international law and material aid- a kind of international safety net. In short, they often appear to be judicial more than empirical entities: hence quasi states”.* (Jackson 1990:5)

The effect of the political negotiations preceding decolonization was the creation of “quasi” states that rest on weak political foundations and is susceptible to paralysis as a consequence of power contestations by domestic political elites that use various political strategies to obtain state power to further their own interests. “Negative sovereignty” became of vital importance for African elites, since they could both attain development aid from the international community to build up defunct state structures and rule as they saw fit according to international values of “self determination” and “nonintervention”. Sadly independence only benefitted societal elites; the broader populations were subjugated to authoritarian regimes which desired state power for personal gain.

The struggle of contending societal elites to gain access to political positions within the African state, and their ruthless tactics of using social identities in political contentions will be illuminated in the next section, which provides theoretical concepts of social identity constructions and their use in political contexts.

* 1. **Social identity theory, ethnicities & identity politics**

As mentioned in the previous section, the issue of nation building and creating comprehensive national identities is a thorny issue which continuously has proved to be a stumbling block for the feeble African states that materialized in the demise of the colonial era. To understand why identity questions continue to destabilize African political systems, insights into the basic processes of social identity formation and their use in political contexts are needed. To cover these issues, this section is divided into 2 parts; 1) the construction of social identities, and 2) the use of social identities in political contexts

* + 1. Social identity constructions

To get a basic comprehension of how and by what cognitive means social identities are constructed, a table is compiled in appendix 2 that covers basic social identity propositions. A constructionist anthropological model of ethnicity has been chosen to disclose the fundamental processes involved in individual and collective identity formations. Ethnic identity is one among a multitude of social identities people hold and utilize for strategic purposes to obtain diverse goals. Fundamentally; “*Ethnicity is situationally defined, produced and reproduced in the course of social transactions which occur at or across – and in the process help to constitute- the ethnic boundary in question. Ethnicity is fundamentally political, and ethnic boundaries are to some extent, at least, permeable and osmotic, existing despite the flow of personnel or interaction across them.* (Jenkins 1997:52)

Thus ethnic and other social identities are generated via social transactions and processes of ethnic boundary maintenance that constitute a fundamental “us –them” distinction between social groups that is essential in creating cultural differentiation between collectivities. Social identities thus become relational, defined by their difference from the “other” and variable due to the constant negotiation of content and form by social actors that is involved in the process of boundary setting. According to Howard; “*Identities are thus strategic social constructions created through interaction, with social and material consequences”* (Howard 2000:371). As emphasized in the model, ethnicities should not be seen as primordial identity formations determining the behavioral patterns of social actors *a priori*, but the fluctuating outcome of continuous interactions between social actors that through contestation and negotiation at the boundaries of their social groups construct social identities that facilitate internal coherence and external group differentiation. Individuals and groups acquire identities as a matter of choice and their content and form are in constant flux since social actors contest their meaning continuously over time. Berman captured the socially constructed, volatile and processual nature of social identities in the following quote:

*“Ethnicities are the ambiguous, constantly contested and changing results of cultural politics, the outcome of an endless process in which they are always simultaneously old and new, grounded in the past and perpetually in the process of creation”*(Berman 1998:312).

The social identity constructions which emerge out of “cultural politics” follow a common cognitive pattern as stated in proposition 4 of the ethnicity model, which can be extended to the production and maintenance of all individual and collective social identities. The content and shape of individual and group identities is the outcome of a dialectic process of internal identification and external social categorization. As Jenkins puts it; “*Social identity is the outcome of a* *dialectical process of internal and external definition****”*** (Jenkins 1997:55) Thus social identities are created and maintained via a dual cognitive process; firstly social actors & collectivities create an internal definition of their identities. Secondly this identity formation is either accepted or rejected via external social definitions from individuals and groups. Social identities are thus created and asserted where the internal and external definitions adjoin. The internal and external processes of identity identification happen simultaneously via social transactions and are established practically though communication, discursive practices and various type of media that either confirm or dispute the social identities of individuals and groups. Practically cultural differentiation and social identification are established via the use of languages which are a vital part of both internal identification and social categorization processes. Social identities are produced and reproduced perpetually through materialand symbolic transactions which are all underpinned through the use of shared languages that make communication between various groups and individuals possible. Languages cognitively creates cohesion among users of a given language group and are central elements of any cultural system, and at the same time generate cultural differentiation to other language groups. As Prah argues:

“*The social character of language and its function, as the key transactional instrument for human groups, makes it both the supreme divider and, at the same time, invisible instrument for uniting people”*(Prah 2006:311).

The internal-external dialectic of social identity creation is thus on a practical level realized through the oral and written use of languages, and therefore the choice of language used in interactions has immense impact on the content and shape of identity formations.

In the African context, the colonial and contemporary states have been instrumental in promoting colonial languages, inventing ethnic and tribal identities that were supposed to form the foundation of national identity and unity, elements which continue to evade most African states today. The reified and constructed ethnic groups and identity formations are often mobilized in the pursuit of political elites´ selfish interests to maintain their claims to state power and the privileges that follow political sovereignty. The ferocity and vigor attached to ethnic identities in Africa can in a social identity perspective be referred to the primary position ethnic identities occupy in relation to early socialization phases where certain social identities are embedded deeply in the human psyche. According to Jenkins, social identities can be separated in to primary and secondary categories, where primary identities command greater emotional attachment and stability. As he mentions: “*Identities which are established early in life – selfhood, humanness, gender, and under some circumstances, kinship and ethnicity – are* ***primary identities,*** *more robust and resilient to change later in life than other identities*. (Jenkins 2004:19)

In an African context, ethnic identities must be classified as primary identities which social actors attribute value and importance and therefore ethnic identities are powerful instruments in political strategies to obtain power and status. In order to convince groups and individuals into supporting political candidates and policies, claims of ethnic solidarity and identity become potent political tools because they summon deeply engrained loyalties and emotions among citizens in Africa. As Jenkins reminds us; “*Ethnicity is a social resource to be drawn upon and exploited in varying contexts****.”*** (Jenkins 1997:90) This social resource has been used in Africa across the continent by political actors to legitimize sociopolitical activities. Social identities are refashioned into potent political identity formations that serve as platforms for political demands.

In face of rampant corruption, nepotism and a decreasing pool of resources & jobs in Africa countries, a multitude of social actors rebel through political violence and craft oppositional political identities that can unite dissatisfied citizens against politicians and the failing state. Especially in relation to governmental resource allocation and access to local resources of land & labor, ethnic identities can be mobilized for political demands Social identities are thus crossed with political concerns and can become the basis of mobilizing ordinary citizens to obtain political goals. The issue of “identity politics” and how social identities are used in the contestation of political power will be covered in the next section, but fundamentally as Harrison explains:

“*Ethnic constructions are undertaken by particular people, often, but not always, of elite social origin who might employ a wide gamut of discourses and political strategies as part of a plan to empower or defend themselves***”** (Kershen et al. 1998:262).

Thus political actors employ identity formations to as a strategy to obtain or sustain political power. During conditions of socioeconomic stress, the manipulations of social identities for political purposes gain salience as strategies to obtain political power and contest other political actors. As Harrison remarks, “*ethnic entrepreneurs*” have emerged where “*the evocation of a specific kind of ethnic identity is part of a strategy to accumulate political capital.”*(Kershen et al. 1998:263) In the next section some theoretical concepts to understand political actor’s tendency to use “identity politics” as a tool in political contestations will be introduced.

* + 1. Identity politics & the use of social identities in political contestations.

In Africa, the way social identities are manipulated by political actors to establish political legitimacy and access to public resources create conflicts and disruptive regional domino effects.

According to Prah; “*The problems of ethnicism and localism are mainly caused by the fact that contending elites have invariably resorted to mobilizing localist and ethnic sentiments within mass society in order to support their claims to resources, in states which have increasingly been faced with diminishing state resources.*(Prah 2000:16).

The troublesome effects of ethnic identities in political contexts are a consequence of how these are utilized by political actors in their efforts to gain political influence. Given the deteriorating socioeconomic conditions African societies’ experience, and the subsequent failure of African states to cater for their citizens, the ordinary populace which experienced drastic reductions in their living standards, turn to their ethnic communities, clans and kin to establish some degree of security and support. As Berman discloses:

*“In circumstances of uncertainty, instability and intense, even desperate, competition for resources, people attempt to find in ethnic communities and identities a degree of support and security, and some semblance of cultural and moral coherence”*(Berman 1998:339)

Thus support networks and alliances in urban and rural areas exist within ethnic communities, and it is these political actors attempt to sap in order to establish political power foundations that can legitimize their aspirations for political power. Since ethnic solidarity and attachment gain salience during times of societal crisis, and the competition between ethnic groups for employment and public resources intensifies, its becomes attractive for political actors to demonstrate their belonging and adherence to an ethnic community, in order to set up and consolidate political constituencies that can back their admittance to political arenas where they position themselves as representatives for their ethnic groups’ interests. Social identities are thus usually proclaimed and adopted by political actors as instruments to gain political renown and access to positions within political parties, IO’s and the state apparatus.

Claims for common ancestry, unifying symbols & rituals can all be harnessed by political “entrepreneurs” in their discursive and political strategies to arouse antagonistic sentiments towards political adversaries and social groups that are depicted as threats to social cohesion and the existence of a social group. Often racial labels and stereotyping techniques are used in political rallies and propaganda campaigns to create the essential “us-them” distinction which vilifies social groups and justifies the need for political action and mobilization of supporters to counter the “common” threat. By cultivating interethnic jealousies and instilling fear among ordinary citizens that other ethnicities and political parties are going to demolish their livelihoods and hoard public resources, political actors manage to transform broader social identities into contentious political identities which they manipulate for their own purposes. As Killian argues: *“In most cases, political identities emerge from situations of stress, in which identity is threatened, and when consequences of domination by another group are perceived to be enormous”*(Killian 2008:102). Political contestants hence appropriate the basic psychosocial processes involved in social identity formation and politicize identities so that they can be utilized as instruments to mobilize supporters that will back their candidacies with fervor during political contestations.

In an African context the use of “identity politics” has to been seen in relation to the way political competition is waged between opponents in the public sphere. As Prah points out:

“*One of the most persistent features of Africans politics is the fact that political parties are more aggregations of personalities, than ideological and philosophically contrasting programmes. The need to find and justify a separate existence on the basis of some important criterion, which may be difficult to find, makes some political groupings resort to personality contests and the baser cultural instincts of the public. Ethnic solidarities are then resorted to.* (Prah 2006:308)

Prah here discloses the individualistic and opportunistic nature of politics in many African countries, where political actors shift alliances frequently in order to secure elections and access to public positions. Politicians in this optic emerge as entrepreneurs that in order to maximize their chances for political office, employ any discursive tool and political strategy that can establish personal distinction and highlight advantages in relation to political adversaries. In a volatile political environment politicized social identities become the perfect instrument for political actors to establish reliable constituencies that will back these in political contestations, provide the politician with a discernable political profile, and deliver justification for policies and claims to political influence. Many sociopolitical conflicts on the African continent can be linked directly to the irresponsible politicization of social identities to incite ordinary citizens to perform criminal acts to counter “social threats” which political actors summon to achieve their goals of power accumulation By radicalizing the meanings attached to social identities, politicians have roused and exploited ordinary citizens to do “the dirty work” of establishing political hegemony no matter the societal costs.

To summarize, political entrepreneurs utilize “identity politics” as a political strategy for 3 reasons; 1) In order to establish political support bases in ethnic communities that during times of political elections, will support and vote for their “ethnic” representative. 2) Political actors need to establish political justification for their candidacy , and in lack of a clear political program, politicians resort to politicizing of social identities in attempts to instigate interethnic antagonistic sentiments, which can cement their political foundations 3) Political elites employ ethnic identities as tools to obtain and sustain political power which grants access to the control over public resources which commonly are used for personal gain and maintaining patronage networks.

Gradually civil society actors have begun to question and challenge the hegemony established by political elites at African independence. Autocratic regimes, socioeconomic crisis, corruption and the manipulation of social identities by politicians have resulted in widespread distrust of the post colonial state and the African elites. A multiplicity of civil society actors have emerged in response to the sociopolitical failures of African states, either trying to challenge political governance or substituting states with alternative support networks. In order to explore these developments, theoretical concepts of civil society, CSO’s and their relationship to regional integration schemes will be introduced.

* 1. **Civil society, CSO’s & their role in regional integration schemes**

In order to gain a theoretical understanding of African civil societies and the positions regional CSO’s have in regional integration schemes, this section will be divided into two parts, 1) civil society theory and the emergence of regional CSO’s and 2) regional CSO’s role in relation to statist regional integration projects in Africa.

* + 1. Civil society theory and the rise of CSO’s in Africa.

Defining and delineating African civil society has caused heated academic discussions since the concept is used by a wide variety of actors that attribute different meanings and uses to it. For the purposes of this thesis, civil society is defined;

“*As the public realm and the associational life existing between the state and the private. From this perspective civil society is seen as an arena where different associations and interests groups can express their interests and engage with the state.* (Söderbaum 2006:6)

Civil society conceptualized in this manner thus becomes the sociopolitical space created by social actors that engage in various arenas of associational life in order to advance their individual and collective interests in relation to the state and general public (Von Doepp 1996 & Blaney & Pasha 1993). Civil society is thus comprised of a broad variety of social actors’ ranging from clan and ethnic associations that advocate for local interests and demands to NGO’s and sociopolitical movements that promote national and regional transformations. The “mushrooming of formal CSO’s in the past two decades, the so called “*NGO’zation of civil society”* ( Opoku-Mensah 2007:74) should be seen as a consequence of both internal and external societal conversions, of which changes in donor policies, global transformations and the socioeconomic failure of African states are explanatory factors. Many formal CSO’s have materialized out of the “good governance agenda” of the 1990’s where donors due to the failure of former development strategies that aimed at modernizing state structures, diverted aid flows away from compromised state regimes to supporting civil society organizations. Shifts in donor policies should be seen in close connection to macro systemic transformations in the global world system as emphasized in section 4.1.1., whereby neoliberalism as a political ideology emphasized the reduction of state bureaucracies in order to install a global free market regime that was governed by IO’s and economic actors, not state interests. Enhancing the role and power of African civil society was seen as a suitable tool to diminish the suppressing control of African states that in a neoliberal optic impeded the functioning of the “free market”.

A third factor which can explain the rise of CSO’s in Africa, relates to the nature of state- society relations in Africa and the post colonial state’s failure to provide its citizens with basic services and protection. As Söderbaum argues;

*“The sharp increase in the number of civil society organizations in the region and throughout much of Africa can be partly attributed to the erosion and general downscaling of the state apparatus and the fact that it can no longer be relied on upon for resource distribution and/or nation building. As a result, alternative sources of survival and resource extraction must be created, and one increasingly effective strategy is setting up NGOs and obtain donor funds when this can no longer be obtained from the state.”* (Söderbaum 2006:14)

As Söderbaum points out, the African state gradually lost its ability to distribute resources to its citizens, and thus the creation of NGO/CSO’s can be seen as a survival strategy by various social actors’ to secure access to shrinking resource bases. The rise of CSO’s thus emerges at a period in African history which is characterized by major transformations in state- society relations, where the state apparatus is downsized both internally by the disruptive sociopolitical practices of the political elites, and externally by the divergence of aid flows and a neoliberal ideological agenda that in IPE stresses the downscaling of state power.

In addition to the use of CSO’s as instruments for resource extraction, civil society actors can under circumstances of wide spread regime dissatisfaction and weakening state control mobilize their institutions and social networks to challenge the political regime and institute a civic sphere of public anti regime discourse and contestation that can lead to political transitions. CSO’s can in times of deteriorating regime legitimacy and control provide ordinary citizens with “locations of resistance” to the dealings of the state, and act as sociopolitical platforms for demands of political change. Conceptualizing the role of civil society actors in African societies, their transactions and the institutional growth which has occurred during the past decades has to be seen in connection to transformations within the post colonial state. In periods of increased state hegemony which the African continent experienced during the 1960-70’s, the autocratic regimes which developed after the decolonization period had sufficient moral legitimacy and resources to quell critical voices from civil society and market actors, and civic spheres remained latent and obedient to state policies. However with significant shifts in the political environment which most African countries experienced from the 1980’s, with shrinking economies due to declining commodity prices, economic austerity programs, and predatory political elites, civil society can “activate” (Doepp 1996) to challenge these dire sociopolitical conditions.

In the next section, the role of CSO’s in development processes, a basic classification of regional CSO’s and the position of CSO’s within regional integration schemes will be pointed out.

* + 1. CSO’s development attributes & their role in regional integration schemes.

African CSO’s have multiple development attributes which justify their existence and also considerable weaknesses which threaten to make them irrelevant in African socioeconomic development. Overall, African CSO’s have effectively carried out *service delivery & empowerment* roles for poor stratums of African populations which the neocolonial states have failed to provide basic rights, services and infrastructure or abandoned consciously due to political reasons. As Opoku- Mensah puts it;

“*While civil society is weak in its engagement with public policy and the extent to which it engages the private sector, it plays a major role in service delivery and citizen empowerment within the context of weak and fragile states”* (Opoku-Mensah 2007:80).

Civil society actors have been effective in providing socio economic services to African citizens, where poverty alleviation has been the traditional organizational focus. In many cases, the socioeconomic services (e.g. medical care, microfinance, education etc.) provided by CSO’s have been the only support available for poor people where state services have been cut drastically. Additionally, CSO’s have also played major roles in areas of civic empowerment and participation, where certain CSO’ via their educational activities and inclusive organizational structures have provided ordinary people means to participate in political processes. On the negative side African civil societies hold very little political positions and are marginal players in relation to influencing public policy processes and holding states and the private sector accountable for their actions. The public “watchdog” role, whereby CSO’s monitor and criticize the actions of the state and business community is missing in the African context. In Opoku-Mensah’s words;

*“Civil society has responded significantly to one of the major problems of Africa-poverty alleviation- even if this role can and ought to be improved. What remains is a widening of CSO activity spheres to address the other central challenge of Africa- democratic governance”* (Opoku-Mensah 2007:83)

By focusing primarily on poverty alleviation and civic empowerment, CSO’s are not able to influence the broader political environment and policies that restrict the maneuverability and activities of CSO’s. Due to weak organizational structures and competition for foreign aid, many CSO’s have not been able form coherent alliances that could summon sufficient political clout to challenge the autocratic practices of the state, and demand influence in policy making and political reforms that would lead to democratic governance. Since the political context is central for the viability of civil societies, CSO’s have to respond to these political challenges in order to maintain their social relevance.

In order to understand the different positions CSO’s occupy in regional integration schemes, some theoretical notions will be introduced that can be used to classify and distinguish CSO’s operating in regional frameworks. Godsäter utilizes a basic binary categorization of regional CSO’s;

“*I distinguish between two types of CSO’s, i.e. “partner CSO’s” and “critical CSO’s” Partner CSO’s play a monitoring role in relation to state actors, making sure that public policies are implemented. Partner CSO’s underpin current governance structures but try to make them more accountable and legitimate. Critical CSO’s, on the other hand, resist what are seen as oppressive features of neo-liberal contemporary governance. Through popular mobilization they demand radical change of various governance structures.”* (Godsäter 2007:4)

As ascertained from this basic categorization, “partner” and “critical” CSO engage differently with statist integration schemes. Fundamentally their disparities relate to conflicting views on statist and “people driven” modes of regional integration and which political strategies function best to engage CSO’s and the broader populace in integration processes.

Partner CSO’s generally strive to engage directly with the formal regional structures and take on monitoring & lobbyist roles within the regional institutions and thus try to change these structures from the inside. Partner CSO’s thus accept the intergovernmental institutions and policy frameworks created in statist regionalism, but want to modify them so they become more inclusive and people centered. Critical CSO’s have a more radical political agenda, where they campaign for major structural transformations of both the neocolonial state and the statist regional organizations which they reject as being “top down”, neoliberal political structures that are created for the benefit of governing elites, not ordinary citizens. To initiate these broader structural changes, critical CSO’s advocate for the creation of transnational social movements that by creating networks and alliances can challenge the current political hegemony of statist regionalism.

The two categories of CSO’s are approached differently by the statist actors that control the statist regionalist organizations which leads to “*peculiar patterns of inclusion and exclusion”* (Söderbaum 2007:16) whereby political elites, to retain their hegemony, only approach and incorporate partner CSO’s and seek to marginalize and splinter critical CSO’s because they constitute threats to their political sovereignty. By assimilating partner CSO’s and allocating them official (token) positions within the statist regional frameworks, these institutions loose autonomy and agency to criticize and demand reforms within the statist structures. By alienating radical CSO’s, any real opportunity to link formal regionalist and civic regionalization integration processes are lost. In order to link civil society actors sincerely to the regionalist projects of the political elites, inclusive democratic mechanisms need to be created that incorporate both partner and critical CSO’s as civil society representatives.

To summarize the theoretical framework and illustrate how the main theoretical insights will be used in the analysis, a theoretical summary is presented in the following section.

* 1. **Theoretical Summary**

Section 4.1 dealt with macro theoretical perspectives on intergovernmental regional integration and different types of regional integration in Africa. Section 4.1.1 illustrated how impacts of economic globalization processes instigated governments to establish regional integration schemes which could act as protective mechanisms against the negative effects of economic globalization and provide frameworks where states collectively can manage international markets. Section 4.1.2 revealed two contending modes of regional integration, *statist regionalism* & *civil society* *regionalization* which on the African continent are disconnected & opposed. These theoretical tenants will be used in the analysis to illustrate motives for reviving the EAC and diverging modes of regional integration which need to be interlinked in order for EAC II to succeed.

Section 4.2 offered historical insights into the construction of African states and their normative foundations. As mentioned in section 4.2.1 African states originate from the colonial era, where European colonial powers imposed artificial state constructs on the continent. These were created without regard to existing social formations and as a consequence lacked social cohesion, political legitimacy and institutional rootedness to become self sustaining entities. As showed in section 4.2.2, colonialism was dismantled due to a normative shift in IR were anti colonial values pawed the way for a *negative sovereignty paradigm* which enabled colonial powers to transfer state sovereignty to African elites as a legal entitlement. The effect of this paradigm was the creation of *quasi* states which are upheld by judicial rights and aid flows, not empirical realities. These insights will be used in the analysis to illustrate why African regional integration schemes fail.

Section 4.3 introduced theories on social identity formation and their use in political contexts. As illustrated in section 4.3.1 social identities are basically generated via transactions between social actors which form internal group coherence and external group differentiation. Social identity formations emerge out of dialectical processes of internal identification and external social categorization. Practically social identities are created and maintained via the use of languages which are essential in articulating and claiming social identities. As disclosed in section 4.3.2, social identities have been politicized by politicians to mobilize ordinary citizens to obtain political positions and gain access to public resources. Identity politics is a widespread political strategy to obtain power. These theoretical tenets will be used in the analysis to understand identity politics in EA and identify elements of emerging regional identity formations.

Section 4.4 presents concepts to understand African civil societies, the abilities & weaknesses of CSO’s and the position regional CSO’s have in relation to statist integration schemes. As pointed out in section 4.4.1 the emergence of CSO’s in the last two decades, have to be seen in relation to 3 factors; 1)shifting donor policies, 2)the ideological agenda of economic globalization & 3) the failure of African states to provide resources to their citizens. As mentioned in section 4.4.2 CSO’s have good capacities in service delivery & empowering ordinary citizens, but lack political muscle to influence public policy processes & hold the state and private sector accountable for their actions. In relation to statist integration schemes, regional CSO’s can be categorized as either “partners” collaborating with regional institutions or “critical” seeking alternative regional integration forms. These theoretical concepts will be used in the analysis to illustrate current relationships between civil society actors and governmental elites in the EAC & the positions regional CSO’s occupy in EA integration processes.

In order to put some “flesh” on the theoretical skeleton created above, an empirical section will be introduced that can relate the theoretical notions to the processes of EA integration & the EAC.

# Case study: the history & progress of the EAC

To understand the context of EA regional integration, this section will provide; 1) the history of EAC I, 2) the structure and successes of EAC II, 3) concrete information on EA regional CSO’s

* 1. **EAC history**

In order to understand the shape and vision of EAC II, a review of EAC I is needed to illustrate the historical foundations upon present integration efforts rests. EA integration efforts have a long history, stemming from the colonial period, but as appendix 3 illustrates with many stumbling blocks and detours. EA state leaders inherited a political institution know as the EAHC in 1961 that was created by the British with the ambitious goal of a political federation. In the 1960’s the winds of independence and nationalism were blowing over Africa, and when the British handed over sovereignty to the newly appointed government leaders in EA, they scrapped the idea of a political federation. At independence Kenyatta, Obote and Nyerere settled for a “light” version, integrating EA via common service organs, political institutions and a CU. The coordinating organ of these integration efforts was the EAC which was established in 1967, but after only 10 years the EAC and EA integration efforts at large came to a full stop, which can be attributed to the following main factors;

“*The collapse of the community in 1977 is widely attributed to three main factors: (a) the inequitable distribution of costs and benefits among the partner states; (b) the ideological differences between the partner states; and (c)the personality clashes between the heads of state of the partner countries after Idi Amin’s 1971 military coup in Uganda”* (Kibua & Tostensen 2005:1)

As indicated in the quote above, economical, political & personal factors contributed to the disintegration of EAC I in 1977. In addition social factors were involved and these main factors are shortly going to be reviewed in the following sections. It’s important to grasp the factors that lead to the demise of EAC I, since these structural shortcomings continue to mar new attempts at regional integration in the EAC II, and could if not countered, derail the EA integration process once more.

* + 1. *Economical challenges in EAC I.*

The post colonial governments in EA inherited and appropriated institutions left by the colonial administration. The British colonial administration geared the economic systems in Kenya, Tanzania and Uganda for different modes of production to extract resources from their colonies to solidify their own national economy (Mair 2001 & Collignon 1990). Consequently, the economies in Uganda and Tanzania were setup to the production of primary agrarian goods that were to be processed and completed in the emerging manufacturing industries of Kenya. Tanzania and Uganda could be characterized as primary commodity economies whereas Kenya had a mixed “settler economy” (due to large European & Asian settler communities) with a broader production base and industrial capabilities.

The colonial mode of production had a critical influence on the economic systems that would develop in the 3 states after independence. Colonial production demands created an unequal economical structure in the EA region, which gave Kenya a competitive advantage since the colonial administration had set up and supported advanced industries in this country opposed to Tanzania and Uganda which were left without crucial industrial complexes and infrastructure when independence dawned.

The dominance of Kenya in areas of trade and industrial growth in EA was a fatal stumbling block to economic integration since Tanzanian and Ugandan state leaders feared that they would pay the price of integration due to loss of customs revenues and industrial development, and Kenya would reap the benefits of integration through better access to their internal markets. (Ochwada 2004)

Besides the structural inequalities in the EA states economic structures, Kenyan, Tanzanian and Ugandan governments chose to follow different economic systems which made economic integration incompatible.

*“After independence the three states not only became inward based, but developed and pursued divergent policies. Tanzania pursued socialist policies, Kenya pursued capitalist polices, and Uganda practiced a blend of the two”* (Abidi et al. 1994:33)

In order to consolidate the fragile new states and to pursue nationalist interests, the 3 presidents introduced different economic systems in their countries. Tanzania’s economic structure was socialist, with central planning agencies, 5 year plans and Nyerere’s “African socialism” in the “Ujamaa Vijijini” [socialist villages] (Collignon 1990). Kenya’s leadership endorsed a liberal capitalist market economy with emphasis on attracting MNC’s and FDI to boost the economy. Uganda, due to its political instability, had fluctuating economic systems which rested primarily on primary commodity exports and subsidized state industries.

The downfall of EAC I began with the suspension of the EA Currency board in 1965-66 and the establishment of separate national banks and currencies (Abidi et al. 1994), and as the next section will show, diverging political ideologies and personal animosities among state leaders proved to be another hindrance for the EAC.

* + 1. Diverging political cultures & personal animosities among state leaders

When the 3 EA colonies gained independence in the 1960’s, the state leaders faced multiple challenges of building upon solid state institutions, cementing sovereignty and crafting national identities among the general populations and creating economic systems that would benefit their citizens instead of the previous “extraction economies” (Percy 2000) the colonialists had put in place to transport resources out of the colonies. Despite the government leader’s rhetorical commitment to regional integration, the effort to strengthen the newly created states and integrate these regionally proved incomprehensible. In the words of Abidi et al;

*“The first wave towards regional integration in East Africa was colonially driven. The independent East African States took over an already tailored institution. The three states however developed diverging ideologies that could not be accommodated by an integration scheme”.* (Abidi et al. 1994:33)

Due to the colonial legacy, the 3 EAC states developed unequal economic systems that created dependencies and asymmetrical economic growth centers and left other parts the region void of industrial development and economic growth. When economic competition hardened, and the countries followed conflicting economic policies, the last straw that hold the EAC together shattered due to diverging political ideologies and personal animosities among the 3 state leaders. When Nyerere officially announced his “Ujamaa” policies and his experiment of “African socialism”, Obote launched “a Common Man’s Charter” (Abidi et al 1994:117 & Kibua & Tostensen 2005:1) and Kenyatta insisted on the qualities of capitalism, open markets and a “British” style democracy, these diverging political cultures ripped the common foundation of the EAC wide open. Since the 3 state leaders failed to create redistribution systems that would negate the inherent inequalities of their economic systems and the political fault lines hardened, nationalistic sentiments and elite interests prevented any real, sustainable regional integration. Ugandan and Tanzanian governments were envious and scared of Kenya’s economic fortitude, and foresaw a complete breakdown of their national industries if a regional market without state restrictions was established. When the Tanzanian army invaded Uganda in 1979 and ousted Idi Amin, the last ambers of EAC I were extinguished. As Ochwada puts it:

*“Essentially, East African leaders were not ready to forfeit their political and economical sovereignty – they certainly were not ready for regional integration. Also the deep involvement of the state and the emphasis it laid on the economic gains from the integration militated against the success of the EAC”* (Ochwada 2004:67).

Narrow-minded focus on national economic gain, sovereignty, diverging political ideologies, personal and military conflicts among member states were all fatal factors in the demise of the EAC, a 3rd important factor was the failure of state leaders to involve civil society actors in the EAC. The “deep involvement of the state” as Ochwada mentions, trampled the involvement of non state actors, and thus made the union dependent on the goodwill and determination of the government leaders only, which was a volatile foundation to build a regional organization on.

* + 1. Social factors in the demise of the EAC

Comprehensive regional integration was the brain child of British colonialists that imagined a complete political federation of the region. This ambitious project was sacrificed at the altar of the post colonial nation state, where EA state leaders envisaged regional integration via common institutions and a CU and singled out economic growth as the most important outcome of regional integration. They attributed the state and government apparatus pivotal importance in creating societal development and economic growth and thus prevented the broader population from taking part in and deciding over integration processes initiated in the EAC. Since EA integration was an intergovernmental process that was driven exclusively by state actors and had an economic focus, the EAC was viewed as a external institution imposed on EA by their leaders, in the same draconian manner as the colonial administrators created institutions, territorial borders and laws without consent of local populations. (Abidi et al. 1994 & Ochwada 2004) The EAC was seen to benefit government actors only, and was either ignored or viewed with suspicion as an exclusive political project of elites. The EAC was thus able to collapse only 10 years after its initiation because it had no popular support from ordinary citizens in EA. As Abidi et al. mention; “*The EAC failed to produce an East African. The peoples remained Ugandans, Kenyans and Tanzanian”* (Abidi et al. 1994:59). Due to the EAC’s statist and economist character, socio-cultural issues of regional integration were brushed aside, which alienated ordinary citizens from reflecting on, participating in and being part of EA integration processes, and made any positive identification with the EAC as a popular institution impossible. Instead of unifying EA and creating a sense of “*we- feeling*” (Dosenrode 2008:14) among the broader populations, no efforts were made to craft an integrated regional identity. State leaders focused on how regional integration could benefit the national economies via macroeconomic policies, and as a consequence there was no commitment from the broader population to form a political federation. When the economic crisis progressed in the mid 1960’s, nationalist sentiments soared, and political ideologies and personal animosities rose among government elites, the EAC fell apart easily because it was not rooted in the aspirations of the ordinary EA and civil society institutions. EA state leaders formed the EAC without consent of the broader populations and its demise also happened without the approval of EA (Abidi et al. 1994). A core failure in the EAC was thus its lack of popular legitimacy, there was no public ownership or participation in the EA integration processes in the 1970’s.

As Ochwada mentions:

*“The integrative efforts that were forged at the beginning of the twentieth century were patterned and adopted a top down approach. This approach was exclusive and authoritarian; explaining why the African peoples in the East African sub region initially rejected it. The independence schemes of integration were both economic based and statist enforced.* (Ochwada 2004:77).

The EAC was a regional organization build on loose sand; besides appropriating colonial regional institutions and erecting new institutions to harmonize trade among member states, the community had no tangible impacts on the broader populations that were estranged from the EAC. The fall of EAC I thus illustrates that a regional integration project cannot be driven by government actors and macroeconomic policies alone. If the goals and visions of political unification are not shared and rooted in the aspirations of the broader population, the integration process will gradually lose momentum and dissolve entirely if the political will to sustain these entities weakens. Sadly the presence of civil society actors is still restricted in EAC II, which is still determined by EA heads of state and their political elites. In the next section, the founding treaty, mandate, structure and vision of EAC II, which was officially launched in January 2001, will be outlined.

* 1. **EAC II: treaty, structure, achievements & relations to CSO’s**

Reviewing the organizational structures, treaty and current achievements of EAC II, it’s fair to remember that the institution is in its nascence, most organizational components in the EAC are not fully operational and are temporary until perpetual arrangements and locations have been negotiated between EA states. To understand the setup and functioning of the EAC, the EAC treaty needs to be analyzed because it’s the “EA constitution” governing formal cooperation between EAC member states. The EAC treaty has an overall economic orientation whereby EA integration is approached by creating economic institutions that will increase regional trade and protect member states against international markets. As emphasized in section 4.4.1 Statist regional integration is undertaken in order to quell the negative consequences of economic globalization, and the EAC follows this trend. In the treaty the creation of a regional economic framework which can accrue economic benefits for its member states is pivotal. The main objectives in the EAC treaty are defined broadly & as indicated in the text box, EA integration is to be established in 4 steps, starting with a CU, an EA common market, the development of a Monetary Union, common currency and a fully embedded political federation. Primary emphasis is thus put on economic institutions and policies to instigate economic regional integration. Considering the operational structure of the EAC (see appendix 4), the organization has developed a basic separation of powers whereby the executive branch is composed of “the summit” headed by EA presidents, “the council” which operates on a ministerial level and the EAC secretariat as the practical executive organ implementing decisions and policies emanating from the top level executive organs. The legislative power of the EAC is represented by the EALA which is composed of 27 nationally appointed members. The judicial powers are put in the hands of the EACJ, composed of 5 judges and a registrar, which functions as an international court arbitrating constitutional disputes, trade violations and other elements relevant to EA cooperation. Superficially, this power separation seems appropriate and up to date, but upon a closer examination of the internal relationships between the institutions and their degree of advancement it becomes clear that the executive organ holds tight control over the organization. For example in relation to the EALA, Lubega-Kyazze mentions; “*The Heads of State may assent to or withhold assent to a Bill of the Assembly. Where a Head of State withholds assent to a resubmitted Bill, the bill lapses”* (Lubega-Kyazze 2005:50). With such veto powers the heads of state can ensure they constitutionally are in control of the legislative processes in EALA which are vital for the institutional development and integration procedures of the EAC. As stated by Oloo;

“ *Art. 5.1 The objectives of the community shall be to develop policies and programmes aimed at widening and deepening co-operation among the Partner States in political, economic, social and cultural fields, research and technology, defense, security and legal and judicial affairs, for their mutual benefit. Art. 2: The Partner states undertake to establish among themselves and in accordance with the provisions of this Treaty, a Customs Union, a Common Market, subsequently a Monetary Union and ultimately a Political Federation in order to strengthen and regulate the industrial, commercial, infrastructural, cultural, social, political and other relations of the partner states to the end that there shall be accelerated, harmonious and balanced development and sustained expansion of economic activities, the benefits of which shall be equitably shared”.* (EAC Treaty 1999)

“*The heads of state have an overarching power over the EALA, reminiscent of the excessive authority and power over the legislature and other arms of government bestowed upon the executive wings of respective governments in the partner states”.* (Rok Ajulu et al. 2005:86)

Besides the executive wings omnipotent rights to veto any EALA legislation, EALA delegates are not elected democratically via public elections, but are appointed indirectly by national parliaments which gives the heads of state additional power to pick parliamentarians from their political parties that follow elitist political agendas and vote predictability according to the “party line”. The 3rd wing of the EAC, the EACJ is not in much better shape than the EALA, since the judges are appointed directly from the summit, and the court is operating on a temporarily basis in Arusha, where the judges only convene to produce judgments when the need arises, so this EAC institution is also in its nascence. Overall, regarding the organizational power hierarchy established in the EAC, the organization must be seen as an elite driven institution that emphasizes a particular “top down”, statist approach to regional integration. This proposition is supported by reviewing the practical policies and achievements of the EAC that mainly have focused on kick starting the economic integration processes, enhancing cooperation between government ministries and enlarging the community by incorporating Rwanda & Burundi. A cornerstone of the EAC economic integration strategy is the creation of the EAC CU which came into force on 1st January 2005, and is supposed to find its permanent form over a 5 year trial period. The CU aims at abolishing internal tariffs between member states, and establishes a CET for all goods coming from outside the EAC. According to the CU protocol, art. 3/c, one major objective of the customs union is; “*Creation of one single customs territory is to enable Partner States to enjoy economies of scale, with a view to supporting the process of economic development.* (Lubega-Kyazze 2005:55). The EAC and EA statesmen have a clearly economical approach to regional integration, whereby integration measures are initiated to accelerate the economic development among states and strengthen the national economies. The establishment of the CU, proved a difficult and pain staking negation process that tested the political will and determination of EA heads of state because considerable compromises had to be reach in order to synchronize the EA tax systems which had been conflicting before.

Returning to the question of popular participation in the EAC, at its present state, the organization is separated from CSO’s and the private sector which have minimal influences on the policies and practical activities of the EAC. Not one single component within the EAC offers the ordinary populace access to and participation in political processes, and no consultation mechanisms are in place to discuss and achieve popular consensus on critical political decisions regarding EA integration, so the EAC is seen as a detached elite project by CSO’s and private sector actors (Rok Ajulu 2005, Kibua & Tostensen 2005 & Abidi et al. 1994).

“*Art. 7,* *the principles that shall govern the practical achievement of the objectives of the community shall include: (a) people centered and market driven co-operation. Art. 127 (3&4) The Partner states agree to promote an enabling environment for the participation of civil society in the development activities within the Community, and the Secretary General shall provide the forum for consultations between the private sector, civil society organizations, other interest groups and appropriate institutions of the Community.”* (EAC Treaty 1999)

According to the text box, CSO’s and private sectors actors are accredited central positions in EA integration measures, but the political intensions and commitment to inclusion of non state actors remain on a rhetorical level, when examining the practical involvement and roles attributed to CSO’s by the EAC.

As Chikwanha mentions,

“*The treaty specifies two ways in which they [CSO’s] can get involved. One is to seek observer status and the other is to participate in a consultative forum that includes a broader array of stakeholders such as the private sector and different interest and community groups. Making these mechanisms work brings into play the usual bureaucratic hurdles characteristic of African governments since decolonization.* (Chikwanha 2007:1)

As indicated by Chikwanha participating in EAC is both burdensome and costly for CSO’s since these have to go through painstaking recognition procedures just to participate in “consultative” forums, not to mention the difficulties in obtaining “observer status” which is the highest position a CSO can obtain within the EAC organization. The EAC exclusivist tendencies can be exemplified by the number of organizations that have gained observer status; 1) EABC, 2)EATUC, 3)KCK (Chikwanha 2007 & EAC secretariat 2005). In addition to this very limited number of actors’ that have gained formal access to the EAC, the EAC secretariat has only conducted one workshop in 2005 which according to Chikwanha;

“*Succeeded in establishing as many barriers as it could against easy access to the EAC by CSO’s. First was the establishment of an East African Non-Governmental Organization forum which was more or less tasked with drawing boundaries on who could engage with the EAC. Secondly, an EAC-NGO Steering Committee was to be established at the national and regional levels by 2005.* (Chikwanha 2007:1)

As indicated, the EAC in its practical relations to CSO’s is far from providing an “*enabling environment for the participation of civil society actors*” as stipulated in the EAC Treaty. By making official recognition and access to the EAC a pain staking bureaucratic process, most CSO’s and private sector actors are discouraged to participate in the EAC because they do not have time, financial, human resources to gain access to the bureaucracy. An additional hurdle is the fact that only regional CSO (see appendix 6) can obtain a formal relationship to the EAC. CSO and business actors that operate on a national level are dismissed by the EAC secretariat and asked to seek influence with their governments, so only highly organized regional CSO’s are taken into consideration by the EAC. Considering the implications of obtaining “observer status”[[1]](#footnote-2) in the EAC, the benefits are questionable. Observer status entails a purely passive position that only gives CSO’s rights to collect information and participate in formal meetings. Besides the symbolic role of being present at official meetings and the right to ask questions, the observer role is restricted to passive participation with no possibilities to influence the political decision making processes of the EAC. Considering the stringent application and recognition procedures and the fact that CSO’s have to be accepted at top levels in the council, underlines the fact that the EAC only endorses a “token” passive form of participation for CSO’s and delegates them a marginal position within the organization.

In order to provide concrete information on regional EA CSO’s, 2 “representatives” have been selected which will be presented in the next section.

* 1. **Regional EA CSO’s: KCK & EALS**

KCK is based in Uganda, Kampala, founded in 1997, and is an academic think tank engaged in 3 core areas; constitutionalism, good governance & democratic development which the institution strives to promote via academic research, lobbyism, advocacy & information campaigns. KCK strives to promote and consolidate “*a culture of constitutionalism*” in EA ([www.kituochakatiba.co.ug](http://www.kituochakatiba.co.ug)), which it sees as vital to ensure good governance and democratic development in EA. KCK envisions reforms of national & regional constitutions as vital tools to secure “inclusive participation” and “people driven” integration within the EAC. KCK obtained observer status in the EAC the 9th September 2004 which is only the 3rd regional organization to obtain this status. KCK strives to sensitize the general EA populations on the importance of proper national and regional constitutions that can secure the EA populace legal rights to participation and influence in political decision making processes. By interacting directly with the EAC and advocating for reforms KCK hopes to convince the EAC secretariat to open up the institution and make it more citizen inclusive.

EALS is a regional professional membership organization, the bar association of lawyers in EA. It was formed in 1995 and has a secretariat in Arusha, Tanzania and branches in national bar associations. Like KCK, EALS has obtained observer status in the EAC on legal issues and EAC law. EALS flag ship project is the “*EA community law advocacy program*” ([*http://www.ealawsociety.org/Joomla*](http://www.ealawsociety.org/Joomla)) which should broaden the knowledge of civil society actors in human rights, legal procedures and rule of law to enable CSO’s to function as public “watchdogs” of the EAC and national governments. Other major role of the EALS is establishing the EACSOF which has been setup to give CSO’s which have not been recognized by the EAC a forum to discuss EA integration issues & reforms of the EAC.

Having provided a “glimpse” of 2 influential regional EA CSO’s, it’s time to weave the different strands of this thesis together in the next section which will provide an analysis of the theoretical framework and the empirical material and provide answers to the problem statement and theoretical hypotheses laid out in section 2.

# Analysis

In order to provide answers to the problem statement & theoretical hypotheses, this analysis will be divided into 3 sections. Section 6.1 will analyze factors in statist regional integration approaches which disable states in creating sustainable integration processes. Section 6.2 will examine the role of “identity politics” in the EA and analyze the possibilities of EAC citizenships, Kiswahili as a regional language & unitary regional identity formations to counter these influences. Section 6.3 examines political reforms and institutional mechanisms which could promote increased public participation in the EAC.

* 1. **The failure of statist regionalism in East Africa**

“*The EAC is a big show of the state leaders, they only want integration in East Africa to strengthen their governments and please the Wazungo donors [white people], and don’t care about what the man on the street needs or thinks, most people don’t know anything about the plans of the big men to create an East African federation, it’s a crazy game they are playing”* (Key informant 2, telephone interview 9/2/2009)

The theoretical insights mentioned in section 4.1 & 4.2, and the history of EAC I in section 5.1 discloses fundamental failures of African states to create sustainable regional integration processes which accrue benefits for their citizens. As illustrated above, some see the EAC and its statist integration efforts as a detached elite project which has no relevance for ordinary citizens, because it does not encompass concrete advantages for them.

As illustrated in section 5.2, the treaty institutions and policies of the EAC focus primarily on macroeconomic institutions and policies to advance regional integration in EA. In the current EAC development strategy, primary focus is devoted economic integration mechanisms due to;

“*globalization and intensification or competition in the global markets and the need to use regional integration as a means to ensure inclusion in the globalization process and achieve strategic positions in the global economy”* (EAC Development Strategy 2006-2010:30)

Thus negative impacts and possibilities of economic globalization are principal motives for regional integration, where economic mechanisms are created both to manage and acquire benefits of the global markets.

The desired benefits flowing from economic regional integration are intended EA states and their national economies and are supposed to “trickle down” to the broader populace. In statist regionalism, the state is seen as the primus motor of regional integration, which is achieved through common regional institutions & policies that aim at intensifying the cooperation between member states to obtain commercial synergy effects. As mentioned in section 5.2 the present EA integration process is regionalist, whereby governmental elites on a macro level negotiate and erect exclusivist political structures that can further their desires for economic stability and growth.

The failure of statist regional integration in EA can be related to sociopolitical factors which prevent the EA states from becoming the locus of holistic, participatory integration schemes.

As argued in section 4.2, the post colonial African states are artificial, ineffective structures due to their historical origin and the “negative sovereignty regime” which keeps African states afloat. These circumstances make African states a volatile platform for regional integration. The fundamental character of the post colonial state inhabits progressive regional integration efforts, as Prah argues; “*The problem of regional unitary attempts in Africa is that they are all conceived with the neocolonial units of Africa as their points of departure*” (Prah 2000:15). As illustrated in section 4.2.1 the present African state have a colonial origin and were imposed upon African societies via a crude colonial demarcation process that carved Africa into a multitude of artificial colonial states which cut through pre existing social structures and groups, and introduced new permanent boundaries, power structures and languages Africans had to assimilate. The implanted state structures in Africa were shallow replica of their European counterparts, generally preoccupied with creating authoritarian bureaucracies to control their local populations and setting up economic mechanisms to extract raw materials for the European markets. Colonial administrations persistently sought to legitimize and unify their colonial territories by inventing ethnic groups and “tribes” that could form the basis of a national citizenry, but as illustrated in section 4.2.1, the colonial state failed at “nation building” and creating credible national identities which constitute the “social glue” of a functioning nation state. As shown in section 5.1.1 the British created skewed economical structures in EA, by developing an advanced industrial base in Kenya, and gearing Ugandan and Tanzanian economies for primary commodity production. The economical configurations created during colonial times persist in present EA states and complicate sustainable regional integration efforts because the distorted economic configurations and dependencies hinders equitable economic growth & sharing of benefits from integration measures.

From the outset of EA independence, the colonial powers did not leave the African leaders self standing, coherent state bureaucracies and regional institutions which efficiently could implement regional integration schemes. The historical constitution of African states provided a poor starting point for regional integration endeavors. The structural deficiencies which made the colonial state a feeble construct were not sorted out in the decolonization period and as consequence the post colonial states, continued to function on the basis of bureaucratic authoritarianism, maladjusted economies and reoccurring legitimacy crises which creates instable political systems.

An element which retains post colonial states into their present shapes is the normative framework of decolonization which legitimizes their existence & the elites ruling them. As highlighted in section 4.2.2, after WWII, the colonial world order crumpled quickly, primarily due to a paradigmic shift in the normative values guiding IR which deprived colonialism of its political legitimacy and instigated a rash decolonization process which granted Africans formal independence in the 1960-70’s. The normative values leading to these abrupt political transformations were the ideas of *ex colonial self determination* and the moral obligation of the former colonial powers to provide *development entitlements* to the post colonial states so they could “catch up” with the western world and gain an equal footing. These normative values lead to a new sovereignty regime in IR which introduced a new category of states into the world system which did only posses sovereignty as a matter of international recognition, not empirical realities: the *negative* *sovereignty regime.* Negative sovereignty entailed freedom from external intervention and a formal legal entitlement to be recognized as an autonomous entity in IR, skipping historical circumstances and empirical conditions which in the prevailing “positive” sovereignty regime were requisite to claim sovereign rights over a given territory. The entitlement of negative sovereignty proved to be a comfortable concession process for the colonial powers, whereby they avoided the costly and complicated task of preparing their colonial territories for self governance and setting up viable economical structures which would make the emerging states self proficient

The premature departure of European colonial powers left Africans elites without self supporting structures that would enable them to govern effectively. By extending rights to self determination and sovereignty categorically to governments which had no credentials other than being of African origin, the post colonial states were poised to become volatile constructs. The negative sovereignty doctrine benefitted the political elites immensely; because they were attributed state privileges swiftly without the need to acquire public consent & they could claim lucrative development entitlements from former colonial powers under the pretext of “national development” and were able to rule as they saw fit due to the right of “*nonintervention*” which in most cases secured post colonial regimes a ”carte blanche” from the international community in domestic issues.

African “*quasi”* states which were upheld by international law and development aid only benefitted political elites, not the broader populations. As Jackson puts it;

“*Independence hardly changed the material conditions of the third world: it was a continuation of imperialism and colonialism under a different name which only revealed greater hypocrisy then before. The term “quasi states” therefore merely reiterates what is already well known: that most Third world states are not yet beneficial to the masses of ordinary people who inhabit them and whose living conditions have improved little if at all as a result of independence* (Jackson 1990:177)

African quasi states in many cases exposed ordinary citizens to corrupt and predatory governance structures, in which political elites used public resources to enrich them and their entourage at the expense of the general public. State power thus offers political elites perpetual sustenance, in Jackson words; “*the value of sovereignty to third world governments is extremely high because it is virtually the only source of their status and privileges* (Jackson 1990: 176)

The importance of national sovereignty and political elites’ zealous protection of this concept can clearly be seen in the case of EAC I, where regional integration efforts stunted and failed because the governing elites in EA were not able to reconcile national and regional considerations, and were not ready to forfeit national sovereignty to achieve regional integration. As illustrated in section 5.1 national sovereignty was one of the major stumbling blocks of EAC I, where nationalistic sentiments and elite interests gradually eroded the original motives for EA integration. Disputes erupted between member states on the distribution of benefits, the planned location of EAC institutions, loss of customs revenue and the fears that Kenyan industries would gain supremacy by trade liberalization. In the 1970’s, the split between political ideologies and the personal tensions between the EA presidents hardened and claims to defend “national sovereignty” and protecting state interests contributed to the fall of EAC I. As Chandaria explains;

“*As soon as independence was achieved, each country started worrying about their borders, about their rights and about their currencies. There was a political awakening and nationalistic feeling: that we were Kenyans, Tanganyikans and Ugandans first and east Africans second* (KCK report 2005:33).

EAC I dissolved due to emerging nationalism and lack of political will from the EA presidents that were not ready to sacrifice their political and economic sovereignty to regional institutions restraining their political hegemony. Since the state offers governmental elites prestige, political power and access to use public resources for personal purposes, they are inclined only to launch regional integration measures which will benefit the state, its finances and hence themselves. The failure of statist regional integration ultimately lies in the unwillingness of governmental elites to reconcile regional and national interests, and since the power and privilege of governmental elites is bound to the post colonial state, these political actors will only initiate regional integration mechanisms that are advantageous for states, not the broader populations. The weakness of statist regional integration is that it is based on the willingness and perceptions of small, exclusive elites which as illustrated in the history of EAC I are prone to demolish regional integration processes in the name of “national sovereignty” to preserve their political dominion. The narrow nationalistic interests of governmental elite’ poses a fundamental challenge to sustainable regional integration processes; since the sustenance of political will among governmental elites is key to sustain the statist integration processes, a determination which is only consistent among governmental elites as long as their political hegemony is secured.

As the analysis above showed state power is of pivotal importance for political elites which derive their status and privileges from the state apparatus and are willing to apply any political strategy to retain their political positions. In the next section, EA political actors’ tendency to manipulate social identities and use “identity politics” to gain access to political office will be analyzed. Furthermore, the prospects of creating EA citizenships, the integration role of Kiswahili and the emergence of regional identity formations to counter the disruptive effects of identity politics in EA will be analyzed.

* 1. **Identity politics, EAC citizenship, Kiswahili & “East Africaness”**

This section will be divided into 2 parts. In section 6.2.1, 3 examples from Zanzibar, Kenya and Rwanda are mentioned to illuminate political elites’ use of “identity politics” as a political strategy to gain access to the state apparatus. In section 6.2.2 the emerging prospects of EA citizenship, language and identity constructs to counter these tendencies will be analyzed.

* + 1. Identity politics in EA.

To recall the basic insights developed in section 4.3.1 & 4.3.2, social identities are basically social resources which can be exploited in political contexts to obtain various means. The utilization of identity politics by political actors is the appropriation of social identities and their various psychosocial attachments which are politicized and manipulated into antagonistic political identities. These are used by “*ethnic entrepreneurs*” as tools to mobilize ordinary people to support the contestation and acquirement of political power. As Berman notes;

*“Demarcation of ethnic differences takes on political importance to the degree it is relevant in legitimating claims to rights and resources, and in providing individuals with both meaning and organized channels for pursuing culturally defined interests. Ethnic identities in such context can be consciously manipulated and invested in economic and political competition”* (Berman 1998:326)

As indicated, ethnic identities are mobilized to legitimize political claims to public rights & resources in political contestations. Due to the present socioeconomic crisis in African countries attainment of political office and positions within the civil service has become increasingly important to secure a stable livelihood for societal elites. Due to the “negative sovereignty regime”, African states are entitled to development aid which unfortunately often ends in the coffers of political elites which use political positions as instruments to enrich themselves. As Berman argues; *“Civil service departments and public enterprises constitute virtually bottomless financial reservoirs for those who manage them and for the political authorities which head them”* (Berman 1998:334). Since the state provides a stable source of income and possibilities to extract resources, political elections become veritable battle fields between contending political elites which mobilize support among common people to demonstrate their political backing in the run up to political contests. Since the African state apparatuses offer political actors both stable employment and authority to control the distribution of public resources, attainment of political office becomes of pivotal importance to societal elites where the politicization of social identities must be understood as a deliberate political strategy to obtain this goal. To analyze how “identity politics” have been used in EA, 3 examples will illustrate the ruthless instumentalization of social identities in EA.

The first example derives from Zanzibar which persistently has been rocked by political violence and ethnic animosities. Zanzibar has since the colonial era been plagued by a long standing conflict between an “African” native population and an immigrant “Arab” population (Killian 2008)

Despite the fact that these groups have intermingled, speak the same language (Kiswahili) and adhere to the same religion (Islam), animosities flare up at political contestations where political elites summon support among reified ethno racial groups which clash violently due to a perceived fear that opponents will take over the state apparatus and employ it discriminately, as Killian argues;

*“Given the fear of the perceived consequences of domination by another group, political competition for state power turns out to be fierce, violent and uncompromising. Politicization of ethno-racial identities is therefore employed in attempts to gain and regain control of the state, and to preserve or reconstruct its identity and sovereignty”* (Killian 2008:121)

The contending political elites which are chiefly organized into two political parties, CCM & CUF enjoy the electoral support of 2 contending constituencies, the Unguja islanders/Africans & Pemba Arabs (Killian 2008:113). In this hostile political atmosphere, the two political camps are positioned as separate racial groups which are bound to clash in political contestations. In order to obtain political hegemony, political actors appropriate and politicize these identities in order to justify their political agendas. In a Zanzibari context, the proclamation of ethnic and racial adherence becomes key in securing political support during election periods and legitimizing political actors’ access to the state apparatus.

Another example of how political elites manipulate social identities among the common populace to maintain political power can be found in Kenya, where the former president Moi and his KANU party employed youth militias known as “Mungiki” in the 2002 elections to intimidate voters and secure the outcome of the elections. This militant youth group comprised mainly of Kikuyu militants originated in rural Kenya, but gradually transformed into a criminal gang which operated in Nairobi slums. The Mungiki were skillfully manipulated in the 2002 elections as pawns to keep the KANU party and the political elite in power. Moi supported Kenyatta’s son, Uhuru Kenyatta as KANU’s presidential candidate in the 2002 elections and elicited Mungiki’s political support by choosing a youthful candidate. In the run up to the elections, “*youth identity, like ethnicity, was instrumentalized and transformed by patrimonial politics into a weapon in the hands of the elders”*(Kagwanja 2005:54). KANU secretly sponsored tribal militias such as Mungiki to attack and instill fear among rival ethnic groups and oppositional parties, chiefly the NARC which headed by Kibaki won the 2002 presidential elections. Moi and his KANU compatriots let Mungiki take over the profitable Matatu sector, in exchange for their political support and creating terror among Nairobi’s population, intimidating commuters to vote for KANU in the presidential elections. The ploy failed, NARC won in early 2003 and in response Mungiki launched a terror campaign in Nairobi’s slums. Mungiki remerged in the wake of the 2008 post election violence to revenge Kikuyu killings & destabilize Odingas ODM party.

In a Kenyan political context, political actors mobilize youth on the background of generational and ethnic identities in their ploys to maintain political power. Unemployed youth become easy pickings for political actors to incite and mobilize in their quest for political power. As Kagwanja emphasizes *“Mungiki is a tragic story of the powerlessness of Africa’s young people in the face of economic globalization, which transformed them into pawns in the elite struggle for power”* (Kagwanja 2005:53) Due to their inability to find employment, many alienated youth find sustenance and “brotherhood” in criminal gangs which provide them with social identities and self esteem that offers them a recourse from the weak and disempowered position youths find themselves in. These criminal groups, as the Mungiki show, are exploited by political elites in their contestation of political power, with detrimental consequences for the broader populace.

The last example which will be introduced to illustrate the destructive consequences of “identity politics” in the EA region is the manipulation of ethnic identities in the Rwandan genocide. The 1994 Rwandan genocide was instigated by a core of state functionaries, mainly top military officers from Northern Rwanda which refused to accept the 1993 Arusha accords. As Hintjens mentions;

*To make the genocide thinkable, myths of origin were reinvented and different forms of citizenship enforced. Identity politics became a means of legitimizing collective violence and scapegoating, and a knife in the back of the civilian population as a whole, victims and victimizers alike* (Hintjens 2001:25)

Hutu extremists initiated a systematic terror and propaganda campaign against resident Tutsi, scapegoating them for all evils which befell Rwanda during this period and with the help of French military advisors started to train youth militias which later became the primary henchmen of the genocide.

Ordinary citizens were manipulated into believing that the only solution to survive in Rwanda was the total extermination of all resident Tutsi. Ordinary Tutsi in a matter of months lost their citizenship and humanity and were slaughtered barbarously by the notorious “Interharamwe” youth militias which ravaged Rwanda from April to July 1994. The political elite’s manipulation of ethnic identities became deadly effective due to a sophisticated propaganda campaign indoctrinating officials and ordinary citizens on the superiority of the Hutu and the “Bahima myth” whereby Tutsi in EA were plotting to reinstate the Tutsi royal dynasty. Besides a political ideology based on racial stereotypes, the government broadcast “hate speech” in the infamous RTLM which was setup to prepare Rwandans for the looming genocide and functioned as “the organizing centre” of the genocide telling citizens whom to kill and where they were located (Hintjens 1999). This propaganda machine effectively created a heated atmosphere for the genocidal frenzy to follow which portrayed Tutsi as the historical arch foe of Hutus which had to be eliminated in order for peace & stability to return in Rwanda. In reality the Rwandan genocide was planned and implemented as a desperate attempt by the Northern Hutu elite to maintain control of the country which in the early 1990’s was in a deep economic and political crisis due to falling commodity prices, SAP’s imposed by IMF, severe drought, and a RPF invasion. These events combined drove the political elites to engineer a political ideology “Hutupower” and manipulate ethnic identities into deadly political concepts which instigated ordinary Rwandans to participate in one of the most effective genocidal campaigns in human history. Even though the Rwandan genocide must be seen as an extreme example of “identity politics” in EA, this section showed that the manipulation of social identities and exploitation of ordinary citizens to obtain and maintain political power is commonplace in the region, as Hintjens concludes;

“*Social identities in the great lakes region can be constructed in such a way as to split up those who once live relatively comfortably as neighbors or even family. Once they are demobilized, “ethnic” identities, however close to one’s heart, cease to have much relevance politically”*(Hintjens 2001:42)

In other words, manipulating and instumentalizing social identities are powerful political strategies to obtain political power in EA, but once the political elites have secured their positions within the state apparatus, ethnic attachments and communal solidarities cease to have political relevance until the next public election campaign where “identity politics” are again employed to win public support.

Having analyzed different places where identity politics were employed, the question remains what socio-cultural policies & institutions could negate these disruptive political tactics? In the following, the negative impacts of national citizenships, the promise of EAC citizenship & the integration role of Kiswahili to further “East Africaness” will be analyzed.

* + 1. National & Social citizenship concepts in EA

*“Our politicians have for so long divided us by politics, fake national borders and nationalistic sentiments and made us forget that we as east Africans have more in common than divides us. Almost every family has relatives in neighboring east African countries because of the presidents’ wars and conflicts; if these people are serious with all their big talk of regional integration, which I don’t think they are…. they should open the borders, let us move freely and become one people again like it was before the whites arrived”* (Key informant 4, telephone interview, 9/3/2009)

As indicated above, EA citizens have a real desire for regional integration, since families and ethnic networks are dispersed throughout the region. As mentioned in the introduction, many EA are trapped in a perpetual limbo where they are scuffled around between EA states without rights to permanent residency and citizenship. The vicious circle of political conflicts, identity politics, ethnic cleansing and resulting refugee flows has marred the EA region for decades, and since these problems have regional consequences, regional solutions need to be found to mitigate these.

A judicial tool and socio-cultural construct which could counter the restrictions of citizenship and legal residency of EA is the creation of shared EAC citizenships which could secure EA human and social rights to reside in the EAC member states and form the basis of broad based regional integration processes in EA. National citizenship concepts & laws stand in the way for these processes to occur. As argued by Chachage & Kanyinga;

*“There has been a tendency by states to conceptualize citizenship from a political-legal perspective in which citizenship is simply identified with being a member of a particular nation state. This politico – legal conceptualization of citizenship has obvious negative implications for the communities that straddle nation state boundaries. Conceptualizing citizenship on a territorial basis erodes an important social-cultural aspect of citizenship: communality and rights associated with being member of a community. It results in excluding, discriminating and oppressing people whose “citizenship” and social organization were destructed and destabilized by the colonial act of partitioning and dividing the continent among different colonial powers”* (Chachage & Kanyiaga 2003:12).

As illuminated above, formal African citizen conceptions are rooted in the state where the populations are granted rights and obligations as citizens due to their national attachments. To recall section 4.2.1, the colonial states partitioned existing social formations in Africa. This partitioning process severed existing social communities and divided social groups according to sovereign territorial boundaries that were supposed to create the basis of national communities and identities. The colonial regimes accomplished to create administrative structures, impose colonial languages and western educational systems, but failed at nation building and ingraining a national identity among its populations. As argued in the quote above and illustrated in detail in appendix 9, the colonial state severed numerous ethnic communities which live across national boundaries. Forcing national citizenship onto these communities required the imposition of restrictive citizenship and mobility laws which hindered the free movement and transaction of these groups. In EA, most ethnic communities straddle national borders, and transact socially & commercially, despite the state’s efforts to limit these. At independence political elites sought to impose national unity and social cohesion via coercive laws and mechanisms. These aimed at suppressing ethnic communities which did not fit into the nation building project of the political elites. The concept of national citizenship has been a cornerstone in the governing elite’s attempts to create a “nation” state and control the flow of transactions between ethnic groups in the region. “National citizenship” is a formal entitlement bestowing rights and duties on “citizens” which are expected to be loyal and obedient to the state. Besides establishing fictitious national communities, this citizen concept categorizes humans as either “citizens” or “aliens”, a bureaucratic classification which creates substantial grief in EA due the perpetual political instability & succeeding refugee flows. In short, national citizenship concepts and laws create “*politics of exclusion*” (Chachage 2003:64) discriminating certain ethnic communities, benefiting others and are used by political elites to exclude social actors from defending their rights and participating in political governance structures. As Chachage points out;

“*The nation-state is an obstacle to genuine transformations in the region owing to the manner in which it conceptualizes the notion of citizenship […] the border communities form the most important basis for a meaningful unity in the region. In spite of the surveillance on boundaries and repressive conditions around the borders, the border communities have continued to unite and work together”* (Chachage & Kanyinga 2003:13).

In other words, new concepts and mechanisms of regional citizenships are needed which include the cross border communities and diasporas’ which exist in EA that have been marginalized by political elites and exploited in EA conflicts. Essentially a shift from a *political citizenship* concept is needed to a supranational, *regional social citizenship[[2]](#footnote-3)* concept entailing basic human rights, unrestricted movement, basic social welfare services, education, housing and minority protections. A way to facilitate broad based social integration of EA citizens, which is sensitive to their social cultural background, is to grant EA regional citizenships based on inclusive factors such as their communal affinities, family ties, residence, livelihoods etc. The premises of EA regional citizenships will be laid out in the following.

* + 1. EAC Citizenship

To promote people centered regional integration, and not the narrow statist integration agenda pursued presently by the EAC, it could advocate for the establishment of EAC citizenship rights entailing judicial entitlements & travel documents which would facilitate the free movement of ordinary citizens. As an informant disclosed;

“*The first step in creating people based regional integration in East Africa, would be to issue East Africans with East African Passports or Identity Cards and implement a Protocol on the free movement of people, employment, residence, the right to buy land and own property and abolish all visa restrictions, so that the EAC not only benefits governments and business people, but the ordinary citizen which has to spend a lot of time and money waiting in lines at border crossings. By opening up the borders, the people will have the possibility to integrate, let the elites argue and fight in their parliaments about who gets what, East Africans can become one much quicker if given the chance”* (Key informant 3, telephone interview, 4/3/2009)

As illustrated above, EA regional citizenship would entail a legal bill of socioeconomic rights, the creation of formal EAC travel documents and the reduction of bureaucracy at border crossings. The formal installment of EA travel documents and citizen credentials could have substantial ramifications for EA citizens, since it could equip them with civil, political and social rights that could negate the disruptive effects of “identity politics” and restrictive national citizenships, where EA would be given citizenships regardless of their ethnic attachments & racial origins.

In short, social regional citizenships should enable EA to focus on their commonalities and common interests instead of the xenophobic ethnic & national fears which have lead to perpetual political instability in EA and destroyed the promise of social regional integration. By creating inclusive regional citizenships which are based on the socio-cultural heritage of EA, such an entitlement would be able to accommodate the multiple social identities and cross border affinities of EA which have been stigmatized and suppressed by the EA states. Opening up national borders and instituting regional citizenship rights would be a practical starting point for people based regional integration and remedy some of the imbalances and inequalities created by EA states. In the next section the prospects of Kiswahili to foster regional social integration will be analyzed.

6.2.4 Kiswahili as a regional language & “East Africaness”

Colonial powers introduced European languages in Africa which should replace the African languages and “civilize” the native populations. To gain access to positions within the colonial administrations, Africans had to learn European languages and assimilate European cultural traits which lead to the creation of indigenous elites which became acculturated to European mindsets and thereby alienated themselves from their native kinsmen. Colonial languages contributed to the fragmentation of the African continent, by creating separated language clusters of “Anglophone” and “Francophone” states which were opposed to each other. The colonial languages, administrative systems and political ideologies introduced sociopolitical fault lines on the African continent where political elites acculturated into British or French colonial administrations, constructed contesting state structures as a consequence of their colonial brainwash. The colonial languages still have a profound impact in EA and have been a contributing factor in the political conflicts of the region. The colonial linguistic legacy instituted a divide between the societal elites and the ordinary populace which became alienated from the political systems. As Prah discloses;

*“If African languages in Africa are the languages of the masses, colonial languages are the languages of the elites. The use of Western languages in Africa serves as the cultural basis for dominance of the elites. Those who rule and control Africa today are those who speak the western languages of inherited from the colonial experience”* (Prah 2002:32).

Instead of uniting people in the post colonial states, European languages are a hindrance to the comprehension and participation of ordinary people in political processes, and serve as social status symbols of the educated elite. In a similar vein, the EAC and its regional integration efforts are disconnected from the ordinary populace because access to, information about and participation in the EAC requires advanced knowledge of written English. The hegemony of colonial language is inscribed in the EAC Treaty, art. 137 whereby “*1) The official language of the Community shall be English, 2) Kiswahili shall be developed as a lingua franca of the Community*” (EAC Treaty 1999). Considering the present EAC member states multilingual composition the choice of English as the official language serves political elites and international donors well, but hamper the understanding & participation of ordinary EA in the EAC. The implication here is not to scrap English as a formal language which has achieved a status as a global lingua franca, rather Kiswahili should elevated to an EA first language, The historical difference between English and Kiswahili, is summarized by the Mazrui’s;

*“Kiswahili is the language of inter-ethnic communication, blue collar vocations and national identity, and English is the instrument of administration, white color vocations, and international communication”* (A. M. Mazrui & A.A Mazrui 1993:289)

Political elites thus use English as a language of social distinction and the ordinary populace has utilized Kiswahili in trade and interethnic communication. The adoption of Kiswahili by Africans as a common communication tool is mainly derived from 3 factors (Mazrui 1993 & Ogwana 2001); firstly its “ethnically neutral”, meaning that the language originated from the Waswahili, a politically insignificant ethnic community at the EA coast. Secondly, Kiswahili due to its Arabic influence had a highly developed grammar and written language which made it suitable for administrative purposes. Thirdly, Kiswahili did not require literacy and was mostly learned informally through practical use in daily interactions and therefore had a highly instrumental value for ordinary people in interethnic transactions. According to estimates (Ogwana 2001) the language is currently spoken in varying degrees by over 100 million people in 14 EA countries, stretching from Somalia to Madagascar so in practice Kiswahili is truly a “language of the people”. Considering the language’s sociopolitical usage, Kiswahili has since African independence had considerable influence in EA national politics. Especially in Tanzania, Kiswahili has contributed to social integration and dilution of ethnic animosities. As D. Chacha mentions;

*“The decision to make Kiswahili the language of policy, government, politics and education and commerce ensured peoples involvement in government and decision making processes. Thus the language policy adopted by Mwalimu Nyerere fostered social cohesion and unity. People did not feel alienated. It widened the range of political leadership as all citizens had equal opportunity to vie for any position, the pre-requisite being only the knowledge of Kiswahili. Opportunities were flung open for people with no knowledge whatsoever of foreign tongues. These gave the citizens a sense of involvement in the running of their country. A sense of identity was created in them.* (Chacha 2003:5)

As pointed out, adopting Kiswahili as a national language contributed with two main elements in Tanzanian politics, firstly it gave ordinary people opportunities to participate in political decision making processes and obtain positions within the state bureaucracy. Secondly the introduction of Kiswahili contributed to the creation of national integration and identity, where Tanzanians via a shared African language were able to identify themselves as part of a “imagined community” of Kiswahili speakers. It is precisely the propensities of Kiswahili to promote social integration between ethnic communities and a collective social identity which makes it worthwhile to promote the language as regional first language in the EAC. By promoting Kiswahili as the formal language of the EAC and making the language compulsory in the national school systems EA governmental elites would have a practical tool which could initiate people based regional integration. As Chacha argues; *“Language has an overwhelming capacity of bonding people together. People who speak one language are united by the ease with which they can communicate”* (Chacha 2003:12).

Kiswahili operates across the artificial boundaries of EA states & is used by ordinary citizens in daily transactions. Promoting and supporting these languages officially could advance people based regional integration in EA. Kiswahili is already contributing to the integration of ordinary EA As Oloka- Onyango observes;

*“Music is providing a means of self identity and enhanced community. So too are the East Africa FM Radio, and television that –whether by default or design- are building a pan-East African identity that all the youth of Utake[[3]](#footnote-4) can relate to.*  (Oloka-Onyango 2004:27)

Kiswahili is disseminated in EA via popular media and contributes to the integration of EA youth, which gain a unitary EA awareness through listening to music and news in the common regional language; Kiswahili. A sense of “East Africaness” is thus created among EA youth which could negate some of the abundant destructive identity formations in the EA region.

“East Africaness”, a common regional identity could form the socio cultural foundation for sustainable regional integration in EA, where EAC citizenship & Kiswahili are fundamental components of such an identity formation. These issues should not be sidelined at the cost of statist economic integration which is the current trend in the EAC.

As explained in section 4.3.1 social identities are fundamentally constructed, negotiated and articulated through the use of language as a discursive tool to create internal coherence and external differentiation. As the section above showed colonial languages stratified the African populations, attracting societal elites and alienating the broader populations that were denied access to participate democratically in political processes. In a similar vein, Kiswahili proved to be an integration factor in Tanzanian politics and carries the promise of broader societal integration and EA unity if the language is elevated as a regional first language and can form the basis of “East Africaness” over time.

Having pointed out important components of a possible EA identity formation, the question remains how CSO’s can become embedded in the EAC, and EA integration can benefit the EA populations instead of the current governments. In the following section various ways to make the EAC citizen inclusive and insure the participation of ordinary EA in political decision making processes will be analyzed.

* 1. **Political reforms & institutional innovations to enhance public participation in the EAC**

As the theories presented in section 4.4 and the empirical information in section 5.1 & 5.2 illustrated, the EA political systems display a fundamental lack of inclusiveness and democratic participation of the broader populations which are alienated from the EAC. These issues are not unique for the EAC but seem to be a continental malaise which hampers the democratic development and economic prosperity of African societies. In a macro perspective;

*“There is a wide gap between state- led integration and integration led and owned by the people. This lacuna needs to be addressed in ways that will connect states to the people. Concern was expressed that at the sub-regional and continental levels, (state-led) integration proceeded at a snail’s pace despite the proliferation of norms and standards. Yet integration between and among people across sub regions and the continent has been underway from time immemorial.* (Trust Africa report 2007:2)

As mentioned in section 4.1.2 and 4.4.2, there are two parallel forms of integration on the African continent; statist regionalism and civil society regionalization. All statist regional integration schemes and achievements have been marred by a lack of public participation and have generally failed to develop inclusive mechanisms which enable ordinary citizens to take part in decision making processes regionally. In this section, political constitutional reforms and participatory structures will be pointed out which can bridge the “lacuna” and connect statist regionalism and civil society regionalization processes, but firstly a critical note on the concept of “participation” will be introduced which in EA is used as a general “buzz word” without specification. In the EAC treaty the economic integration of EA is outlined in considerable detail, describing the sequence, mechanisms & institutions needed to establish substantial economic integration. The “participation” of civil society & private sector is mentioned cursory without any specification of how, when and who are supposed to participate in the political processes of the EAC. Reviewing the empirical information presented in section 5.2, the EA governmental elites and the EAC institution have only paid lip service and made rhetorical commitments to the participation of ordinary people in EA integration processes. As illustrated in section 5.2, none of the present EAC institutions offer opportunities of democratic participation for EA citizens. As Oloka-Onyango discloses;

“*Indeed, there was hardly any attempt to involve the people in the process from its very beginning. At best, only the urban-based elite of the three countries were involved. No attempts were made to get the masses of women, peasants, business, workers or youth groups that are present in all the East African countries engaged in and feeling part of what should have been regarded as a monumental development in the history of the region. Rather, as was the case at inception, the process was largely elite, top down and driven by the political and bureaucratic leadership of the three countries. Although presented as the main beneficiary of the process of cooperation, the same governments have conceptualized the people as passive recipients of their policies”* (Oloka-Onyango 2005:6).

As can be seen above, core problems in the institution are questions of public participation and representation of EA populations in the EAC. In order to concretize the political rhetoric on civic participation in the EAC a typology of various participatory forms is illustrated in appendix 8. Considering the theories presented in section 4.4.2 and the empirical information in section 5.2 & 5.3, superficial participatory forms dominate the EAC, whereby public participation is restricted to shallow types of participation (type 1-4). The EAC has since its nascence been marred by an absence of popular participation, where EAC I was a pure state affair without connections to EA, the inclusion and participation of EA is mentioned in the EAC II treaty, but only by name, not in practical application. Present participation levels of ordinary EA can be classified of type 1 & 2. The common populace is only mentioned by name, and in practical political dealings is conceptualized as “passive recipients” of EAC policies, which are commanded to EA citizens without prior consultations. The most advanced type of participation is restricted to formal organizations which after stringent approval procedures can obtain “observer status” and are granted rights to attain information from the EAC secretariat. Only regional CSO’s are currently allowed to obtain information from the EAC. Minimal efforts have been made to inform the public on the activities and accomplishments of the EAC due to lack of financial funds and staff. The primary information source on the EAC is an English organizational webpage, which is an exclusionary information platform since data access requires literacy in English, a computer and internet access, luxuries which only urban elites in EA can access. Political decision power is restricted to the summit & the ministerial council. Regional CSO’s are consulted only superficially during official sessions, they have no mandate to influence proceedings and the consultative process remains highly restricted and unilateral. The big question remains how more inclusive types of participation (type 6-8) are introduced in the EAC, and how EA integration processes can become citizen inclusive, instead of alienating as is the case currently. In the EAC treaty, EA state leaders have laid down an ambitious framework for regional integration, culminating in the establishment of an EA federation, but as Kamanyi states;

*“The critical issue that needs the attention of all East Africans and needs to be underscored repeatedly is that the political federation has to be* ***people-led*** *with policies designed collectively with civic actors and with the involvement of all segments of society including the marginalized. This requires the commitment of civic actors, democratic institutions and the political will of the Heads of State who have to abide by the will of the people* (Kamanyi 2006:18)

In order for the EAC to become “people led”, political reforms and institutional innovations need to be established that secure public participation. 3 core areas which promote the inclusion of ordinary citizens in the EAC have been identified, namely 1) public elections & referendums, 2) constitutional reforms & inclusion of CSO’s in political decision making, 3)CSO networking, information & citizen awareness campaigns via local media. Introducing these reforms and mechanisms will unshackle the EAC of its statist chains and intensify the participation of EA citizens within the institution. Regional CSO are critical catalysts in all these areas and can if delegated formal positions and responsibilities within the EAC become effective participatory structures for ordinary citizens. The mentioned core factors of public participation will be analyzed in the following sections.

* + 1. Public elections to EAC institutions & EA referendums

Considering the historical context outlined in section 5.1 and the ongoing political processes in the EAC institutions indicated in section 5.2, a common political pattern is the exclusion of ordinary citizens in decision making processes which were neither consulted in the creation & demise of EAC I or the rebirth of the EAC II. As Kamanyi notes;

*“Although the East African person is presented by governments as the beneficiary of cooperation, the same governments have conceptualized a child like individual, who has no ability to contribute to the growth of cooperation, but rather is expected to accept, whatever the paternalistic governments decide (Kamanyi 2007:4)*

A potent tool to engage the “EA children” in integration processes and give them direct influence in the decisions made by EAC officials, is to institute regional public elections to PM’s of the EALA which presently are appointed by the EAC executive wing and serve their agendas, not regional public interests. As illustrated in section 5.2 the current procedures are clearly undemocratic whereby the governmental elites can handpick members of their own parliaments to reside in the EALA and not a plebiscite which is the democratic norm in other regional organizations. As Oloka-Onyango mentions;

*“In each instance the ruling parties/movements in the three parliaments manipulated the elections in order to secure their interests in the regional body, which essentially produced mainly NRM, CCM or KANU representatives to the regional assembly. It is obvious that the presumption on which these elections were based was that the interests of the ruling parties were the same as those of the people of the three countries.* (Oloka-Onyango 2005:6-7)

By rigging nominations of EALA representatives in the national assemblies, the presiding PM’s are thus not representative of popular interests but cronies of the ruling regimes. EALA can presently be categorized as a “paper tiger” (Oloka-Onyango 2005:7) which despite its official structures & formally elected PM’s is without political significance. Despite EALA’s current weaknesses, regional CSO’s have argued that the institution can be reformed and made a centre peace in the fight for public participation in EA, if citizens could elect PM’s directly through regional elections. If the EAC was to endorse their rhetorical commitment to people centered regional integration, creating new election procedures and organizing public elections of EALA PM’s would be a first step to bring EALA closer to the EA citizenry and make the PM’s representative of the public will, not political regimes in EA. In addition the mandate of the institution should be strengthened, so it could draft and enact laws independent of EA state leaders and in case of dispute let the EACJ arbitrate. In its present state EALA lacks fundamental popular legitimacy and support, and the only practical way to change the status quo is to let citizens elect their representatives directly which would open the EAC to public participation and foster a sense of ownership of the EAC among common EA.

As Ajulu et al note; *“It’s necessary to improve the representational character of the regional parliament and strengthen its powers, since it is the only institution among the community’s organs that may be accessible to the people”* (Ajulu et al. 2005:91).

Another related political instrument which would devolve the executive wing some of its powers and give people a direct say in political decisions, is the introduction of public referendums regarding critical integration decisions. As the history of EAC I showed in section 5.1, the EAC was as product of consensus among the 3 EA presidents at independence and dismantled quickly once the political will waned; EA citizens were neither involved in creating nor demolishing EA integration efforts. According to an informant;

“*To include east African people in the EAC requires firstly that people are given the right to decide which persons should represent them in EAC institutions and secondly that they through consultation and referendums can choose how and by what means regional integration should continue. The heads of state are afraid to give people the power to vote since they might reject the official EAC road plan and shoot down the big plans of the state leaders, so they put as many stones in the way of popular participation as they can….* (Key informant 1, telephone interview, 2/2/2009)

Referendums are politically “risky” since citizens can choose to slow down integration processes, but without popular approval of the EAC and its policies, it lacks a legitimate foundation and broader societal approval which is vital to sustain the organization in the long run. In order to give ordinary EA ownership and concrete influence in critical integration decisions, they should be consulted via regional referendums on vital aspects of the EAC, such as the planned common market, monetary union & political federation. Regional referendums will legitimize the EAC institutions and integration policies, and serve as democratic guarantees for the inclusion of ordinary EA in decisions made by governmental elites, and act as “checks and balances” to the proposed integration measures of the EA presidents, which will have to abide by the will of the people in case they vote against the proposed succession of EAC integration mechanisms.

* + 1. Constitutional reforms & the inclusion of CSO’s in decision making

As emphasized in section 5.2, the EA states are supposed to create an “enabling environment” for the participation of civil society actors in the community and the EAC secretariat is charged with the responsibility of establishing a consultative forum for civil society actors. Several conferences have been held to establish a mechanism whereby CSO’s can interact with the EAC institutions but until now the EAC secretariat has put minimal effort into creating consultative forums and appointing contact persons within the secretariat. According to the first workshop held on civil society- EAC relations in 2005, the EA member states and the EAC secretariat were recommended to setup the following mechanisms to ensure civil society participation in the EAC;

*“The Partner States are to address the need to set up a specifically designated EAC NGO/CSO Desk at the EAC Headquarters in Arusha to be able to effectively keep the membership informed of EAC activities, as well as provide for a quarterly forum for the membership. There should be established an EAC NGO/CSO Steering Committee comprised of not more than 12 persons representative of the Partner States”* (EAC secretariat 2005:9)

Ironically these initiatives did not lead to the inclusion of a broad scale of CSO’s in the EAC and generated consultative fora where CSO’s and the EAC could engage in constructive dialogue, but developed into a control mechanism which setup limitations and selection criteria for which CSO’s could participate, and excluded all national CSO’s from participating in regional affairs, since they in the secretariat’s optic were focused on national concerns and did not enhance regional interests. Only 3 organizations have obtained observer status, KCK, EALS, EABC; a small fraction of organizations in EA, denoting EAC exclusivist practices despite all good intensions stipulated in the EAC Treaty. As an informant commented;

*“The civil society forum meetings is a sham set up by the EAC secretariat to appear as if they are devoted to let NGO’s and CSO’s participate in the affairs of the EAC. “Consultation” means informing us about the newest policies the heads of state have agreed on… we have made many recommendations and critical comments during these meeting but none are taken seriously by the EAC bureaucrats; we are “yes-men” without influence, it’s frustrating… I think the only way out is to press the leaders to make reforms in the EAC treaty which will give us formal positions, rights and responsibilities within the EAC, but this is not easy since both the EAC and CSO’s lack money to do this, and the elites in power are not interested in letting people participate in the EAC… it’s going to be a big struggle, but we cannot let the governments run the EAC alone again, I’m not sure there is going to be a third time if they fail, the goal of east African unity is simply too important to let government elites destroy the process* (Key informant 3, telephone interview, 4/3/2009)

As can be seen from the interview excerpt, the consultative mechanisms promoted by the EAC are unsatisfactory and tokenistic, and constitutional reforms of the EAC treaty become primary tools to ensure inclusion of CSO’s and the broader populace in the EAC. As emphasized in section 4.4.2 a basic weakness of CSO’s is their limited capacity to influence policy formulation and political decision making processes, and as the informant discloses above it is precisely in this area where constitutional reforms would enable civil society actors to influence and challenge statist policies. Two essential reforms of the EAC treaty are promoted by regional CSO’s which would pave the way for increased public participation in the EAC; 1) the creation of a permanent CSO advisory council with specific constitutional rights and duties, 2) the establishment of EA “people’s assemblies” organized and financed by the EAC and EA governments, as instruments to inform, discuss and consult their populations before taking vital decisions on regional integration issues. According to an informant; *“*

*To get some real influence in the EAC, a civil society advisory council should be created at the executive branch of the EAC, monitoring and influencing decisions made by the summit and the ministerial council, with rights to block discriminatory laws and decisions made by the governments, and enough political autonomy to propose policies to the secretariat and laws to the assembly [EALA] which can promote people based integration measures. The members of this council should not be appointed by bureaucrats of the EAC, but by CSO’s and public elections of ordinary people”* (Key informant 3, telephone interview, 4/3/2009)

As indicated a route to increased citizen participation in the EAC would be the establishment of a civil society advisory council with a permanent position in the EAC that could guide, monitor and challenge decision making processes in the EAC institutions. Creating such a council would give CSO’s a powerful instrument to influence public policy processes which are key in ensuring increased influence of civil society actors, as mentioned in section 4.4.2. Another interesting element in the proposal above is the monitoring role of the council, since EALA PM’s cannot be seen as genuine representatives of the EA people, due to their national party affiliations. The EAC lacks a “public watchdog” which is able to criticize decisions made by the executive wing and hold them accountable for infringements of the EAC Treaty. An independent civil society council might be able to fulfill such a role, given that the political will can be summoned from the executive wing to accept such a construct and civil society actors can find sufficient resources to establish a permanent council. Another political reform which has been proposed to inform & include ordinary citizens in the workings of the EAC, is the creation of EA people’s assemblies, as mentioned in an EAC conference paper;

*“There was a need to find a better way of disseminating information across the borders. It was necessary to consider the establishment of an East African People’s Assembly parallel to the East African Legislative Assembly (EALA) so as to counter the top down process/approach that seem to have taken root”* (EAC Secretariat 2005:9)

The EAC has substantial communication problems within insufficient funds to produce information materials and communicate to key stakeholders and its broader audiences. Since the EAC is located in Tanzania, the main information source is an internet web page in English and since very little information materials have been published in Kiswahili and local EA languages, the existence of the EAC remain obscure to most ordinary EA. In order to counter these problems KCK & EALS (Kamanyi 2007 & Deya 2004) have argued for the formation of EA people’s assemblies which at national levels should disseminate information on the EAC and consult citizens on their views about an eventual EA federation. People’s assemblies should be funded by governments & the EAC as information tools to inform citizens about regional integration processes and prepare them for key referendums on vital steps of EA integration. Furthermore people’s assemblies should function as consultative fora, gathering views and recommendations from EA citizens on innovations to ease regional integration procedures. Finally, these interim people assemblies should participate in electing representatives to the civil society council.

In conclusion, the two political reforms mentioned above, the civil society advisory council and the people’s assemblies have been promoted by regional CSO’s as political reforms to ensure the direct participation and consultation of ordinary citizens in the EAC which presently is disconnected from these. Since the presented reforms are radical compared to previous institutional practices of the EAC and will demand compromise and political willingness from state leaders to devolve some of their powers, CSO’s will need to forge networks, information & citizen awareness campaigns among EA citizens, in order to pressure the executive wing of the EAC to make participatory concessions for EA citizens. These elements will be analyzed in the following section.

* + 1. CSO networks , information & citizen awareness campaigns

Given the historical constitution of the African states as illustrated in section 4.2, and the history of EAC I as outlined in section 5.1, it’s unlikely that EA elites will devolve some of their powers voluntarily, so regional CSO’s need to improve their networking skills and form regional alliances which can act as pressure groups to demand political reforms in the EAC. As mentioned earlier in section 4.4.2 & 5.2, most EA CSO’s operate at a national level and are typically preoccupied with apolitical service delivery and empowerment functions among at the grassroots. Civil society actors need to join ranks collectively, obtain consensus on political reforms and establish comprehensive regional networks which can challenge the political status quo in the EAC, and pressure the governmental elites to introduce “people centered” policies. Apart from the tokenistic “EAC NGO/CSO Forum” which does not engender substantial influence & participation of CSO’s in the EAC, two networks EACSOF & RECINET exist which are still in their beginning. EACSOF concentrates on lobbying for the creation of a human rights system within the EAC with the enactment of an EA bill of rights is the centerpiece. RECINET is setup to monitor the implementation of the EAC treaty. The influence of these networks is still marginal since they lack financial funds, human resources and an organized platform to become influential pressure groups and mount effective lobbyist campaigns which could convince EAC member states to introduce participatory reforms within the EAC. Due to these deficiencies, regional CSO’s have started information campaigns to EA citizens, providing basic information on the EAC, in the hope to create a critical awareness among the citizenry of the statist character of the EAC and engage them in ways to improve it. According to an informant

”*We [CSO’s] are too weak and lack funds to effectively mobilize people to demand changes in the national governments and the EAC, so instead we try to spread simple information in local languages on the EAC and its problems, and sensitize people about the benefits of east African integration, but it’s an uphill struggle sometimes, many have a pessimistic attitude, questioning why we are interested in informing them about “a big man’s club” which has no relevance to their daily lives. Participation from common people will require a lot of work since most people are not aware of the EAC and don’t see why they should take part in government institutions, the presidents do what they want anyway…* (Key informant 2, telephone interview, 9/2/2009)

As illustrated above, CSO’s in face of financial and institutional constraints, attempt to engage the broader public via information campaigns on the EAC. Spreading information should promote a critical awareness among EA citizens of regional integration efforts and that sociopolitical change is possible through the active participation of ordinary people in political institutions, but as the informant discloses many people have a resigning attitude towards the EAC since it has no relevance for ordinary citizens. Appropriate information, in local languages and simplified content, and communication platforms which reach the broader populations could motivate ordinary citizens to demand political rights and participation within the EAC. EA media show potential in increasing the general awareness of ordinary citizens about these topics. As Kamanyi notes;

*“The role of the media, such as the FM radio stations and newspapers in local languages have contributed significantly in raising awareness at community level on human rights, duties and obligations, electoral processes, good governance, access to justice and democracy”* (Kamanyi 2006:17)

Local media are important sources of information for ordinary citizens in EA and could become important partners for CSO’s striving to heighten the awareness of people and engageing them in the struggle to transform present political processes within the EAC. The dissemination of information by both local media and CSO’s is central to stimulate the awareness and agency of EA citizens in the sociopolitical struggle to open up and democratize the EAC. Regional CSO’s have advocated for a range of political reforms which all aim at encouraging civic engagement in the political processes of the EAC and thus transform the organization internally, so that the EAC will be firmly embedded in civil society, not hovering above EA as an elitist pipedream.

In the following the analysis will be summarized.

* 1. **Analysis summary**

Section 6.1 disclosed two main sociopolitical factors which hinder statist regionalism schemes in establishing sustainable regional integration. The first factor was the historical constitution of the African state, which due to their colonial legacy were constructed with grave sociopolitical deficiencies which did not constitute a sound foundation for regional integration, as EAC I showed. The second factor was the African quasi states created by the “negative sovereignty regime” that benefitted post colonial elites immensely because the state apparatus became their primary source of power & wealth. Regional integration in EA is impeded by the failure of governmental elites to reconcile national and regional interests, where integration efforts are suspended if these threaten the hegemony of governing elites.

As analyzed in section 6.2, social identities are a social resource which can be exploited in political contexts. 3 examples from Zanzibar, Kenya & Rwanda showed that manipulating and instumentalizing social identities are powerful strategies to obtain political power in EA.

In section 6.2.2, the negative impacts of national citizenship concepts were illustrated & a shift to a regional social citizenship concept was proposed to negate the “politics of exclusion” which national citizenship laws generate towards transnational ethnic communities. Section 6.2.3 analyzed the possibilities for creating inclusive EAC citizenships with could include EA regionally instead of excluding them nationally. In section 6.2.4 the integration properties of Kiswahili was investigated which if elevated as a regional first language could ease communication and the social integration among EA. Colonial languages have contributed to the sociopolitical fragmentation of EA, and Kiswahili due to its linguistic history and common use could unite EA. Promoting both EA citizenships & Kiswahili could contribute to the construction of a unitary regional identity formation – “East Africaness” – which could form a broad socio-cultural basis for regional integration.

Section 6.3 investigated political reforms which could to link the EAC to EA civil society. 3 core areas were identified which could trigger substantial public participation in the EAC; 1) regional elections to the EALA & referendums, 2)the establishment of a civil society advisory council & EA people’s assemblies & 3)CSO networking, information & citizen awareness campaigns in the local media to motive public participation in the EAC. In the struggle to initiate EAC reforms, regional CSO’s play important roles acting as participatory structures for ordinary citizens to engage the EAC and as catalysts to encourage public participation in the institution.

The next section will round of this thesis by summarizing the main findings and provide a general conclusion.

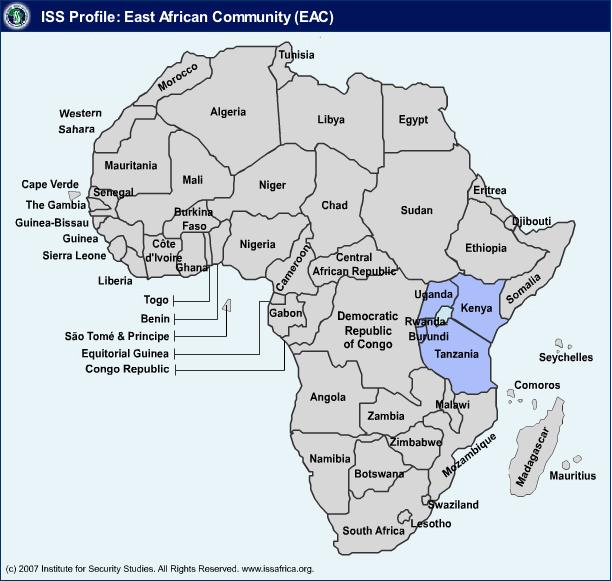
# Conclusion

This thesis has focused on the question of how the EAC can become connected to EA civil societies which presently are alienated from the institution. As the theoretical concepts and empirical information in this thesis show two factors impede EA regional integration; statist regionalism & political actors’ divisive use of identity politics in political contestations. Statist regionalism, which the EAC is a manifestation of, focuses on the creation of political institutions and economic mechanisms to enhance intergovernmental cooperation and strives to safeguard national economies against the negative consequences of economic globalization. The fundamental weakness of statist regionalism can be traced back to its object, the post colonial state, which due to its colonial legacy is an artificial and incoherent construct inhabited by political elites which exploit the state apparatus to obtain political power and wealth instead of serving the common good of EA. As the historical outline showed, African states are colonial constructs which carved up the continent into artificial territorial boundaries and bureaucracies that were not created for the benefit of Africans, but colonial exploitation. The colonial state was an instrument to control African populations and ensure continuous resource flows to European metropoles, not a sovereign entity capable of effective autonomous governance. African states proved to be poor starting points for regional integration, as the history of EAC I showed, where economic integration was hampered by skewed colonial economic systems which created trade and industry disparities between EA states. At independence, instead of abolishing the colonial state, African elites appropriated and expanded the inherited national and regional governance structures and focused on state expansion as the key to African development. The result of decolonization was the creation of African quasi states which do not exist due to empirical realities but international recognition and development aid which enabled political elites to sustain their political hegemony over their populations. The proclamation and protection of “national sovereignty” becomes of vital importance for political elites since attainment of state power offers them access to social status, public privileges & material resources to sustain their extravagant livelihoods. Statist regionalism led by EA elites fails due to their unwillingness to reconcile national sovereignty losses with regional integration gains which threaten to undermine their national political hegemonies. In order to avoid the devolution of political authority, EA elites create exclusive political structures and economic policies in the EAC to secure their continued control regionally. As second factor which impedes people based regional integration in EA, is the tendency of elites to utilize “identity politics” in political elections to mobilize ordinary EA to support their candidacies. Since the civil service and public offices are the only permanent sources of sustenance for societal elites in the current socioeconomic crisis of post colonial Africa, social identities are used as social resources to win political contestations. The manipulation of social identities into antagonistic political formations which are used both to attain political office and incite citizens to commit atrocities has divided EA & cast the region into turmoil. The invented ethnic, tribal & national identities summoned by political actors in their public rallies essentially fragment and oppose EA to regional integration measures.

As argued in the thesis, the answer to how the EAC can be linked to EA civil society & the aspirations of ordinary EA is related to two central areas which can embed the EAC in civil society and unlock the organization for public participation. The institution could be transformed substantially by focusing on socio cultural integration measures & initiating citizen inclusive reforms of the EAC which aim at uniting the EA populations, not its governments. As pointed out the creation of EAC citizenships entailing an EA bill of rights, formal travel documents & a regional protocol abolishing bureaucratic obstructions at border crossings would be first steps in opening up the EAC to EA. Secondly, since languages are essential parts of identity formations and have the capacity to facilitate social regional integration, the promotion of Kiswahili as an EA first language could make the EAC comprehensible and accessible to ordinary citizens which practically are excluded from participating in EAC proceedings due to the use of English in the institution. Kiswahili has for centuries been a key interactional instrument among EA, facilitating interethnic communication and integration as Tanzania’s example showed. These two socio cultural reforms in the EAC, could lead to the emergence of a shared regional identity among EA, “East Africaness”, based on common citizenship and language, which could reconcile the divided ethnic groups & identities present in EA, and form a broad platform for regional integration instead of the macroeconomic policies of EA state leaders designed for strengthening their governments. The second area which can link the EAC to the EA people is the initiation of in-house political reforms which will democratize political decision making processes and secure the public participation of EA citizens within the organization. As pointed out regional elections to the EALA would make the institution representative of EA and not their governments & referendums on critical integration issues would give citizens a concrete say in EAC decision making processes and ownership over the EAC. To devolve the powers of the executive wing in the EAC which presently reigns supreme, the creation of a civil society advisory council with constitutional rights to block controversial policies of the executive and ability to monitor government transactions would give CSO’s a powerful tool to influence regional decision making processes for the benefit of ordinary citizens. Additionally, to inform and consult the broader masses on EA integration, CSO’s have advocated for the establishment of EA people’s assemblies which should prepare EA for regional referendums and consult them on ways to smooth regional integration processes. The role of regional CSO’s is central in the quest to connect the EAC institutions to EA civil society since they both act as catalysts to encourage public participation in the EAC via information and citizen awareness campaigns and function as participatory structures for EA to approach the haughty EAC bureaucracy. In conclusion, if EAC II is not to disintegrate like its predecessor, the institution needs to become embedded into civil society via socio cultural integration mechanisms and institutional reforms which can secure the public participation of ordinary EA; if not the EAC will continue to be “a union of governments” and not a “union of the people” and fade away into the ranks of failed regional integration attempts in Africa.

# Appendixes

# Appendix 1: MAP of EAC Member states



Source: [www.issaafrica.org](http://www.issaafrica.org) [accessed on 10/11/2008].

# Appendix 2: The Basic Social Anthropological model of ethnicity

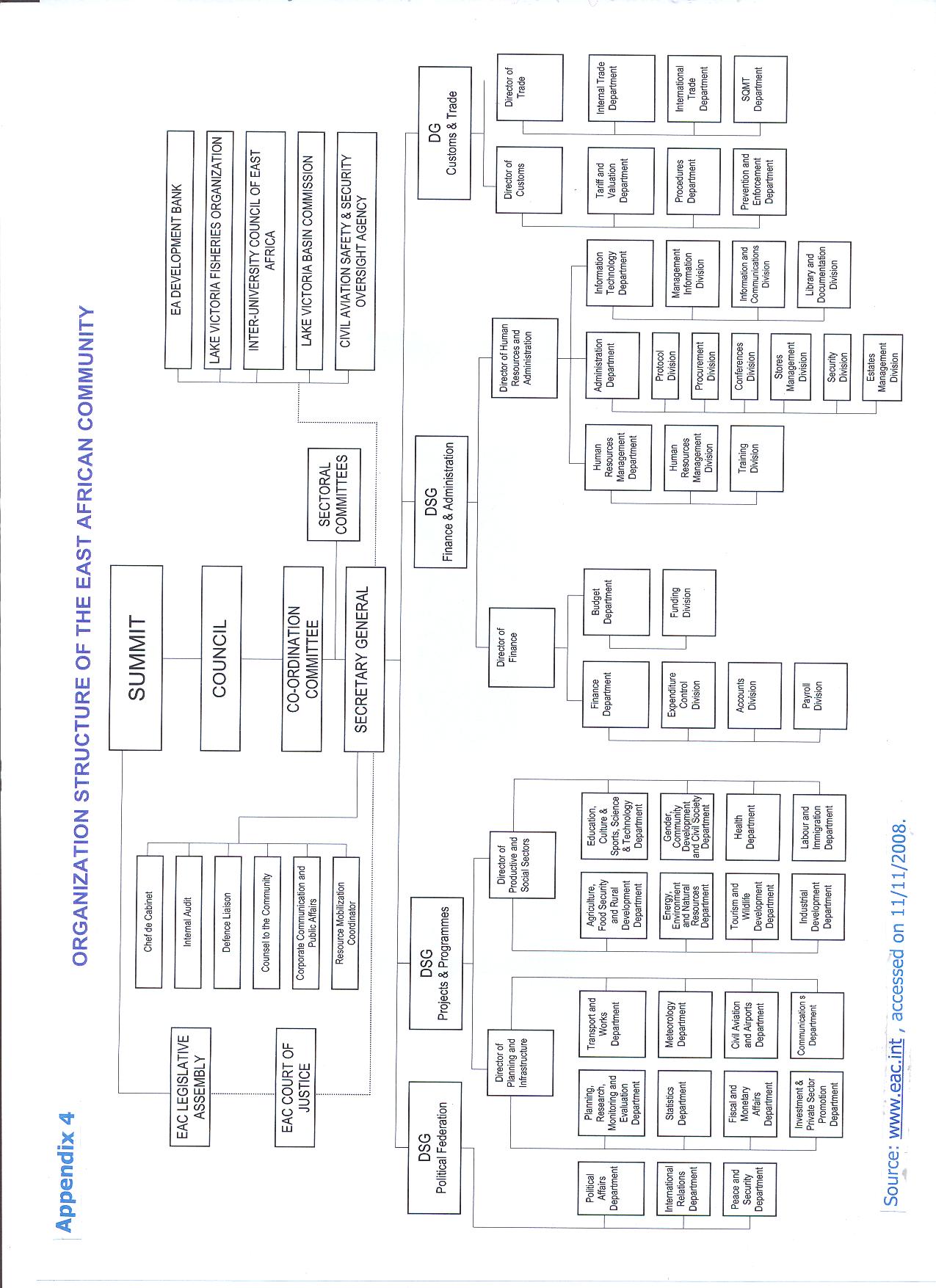
|  |
| --- |
| Social constructionist model of ethnicity/social identity |
| 1. Ethnicity is about cultural *differentiation* (although identity is always a dialectic between similarity and difference) |
| 1. Ethnicity is *cultural*- based on shared meanings-but it is produced and reproduced in *social*  interaction |
| 1. Ethnicity is to some extent *variable* and *manipulable*, not definitively fixed or unchanging. |
| 1. Ethnicity as a social identity is *collective* and *individual*, externalized in social interaction and internalized in personal self-identification |

Source: (Jenkins 1997:14, 40 & 165)

# Appendix 3: Table of critical historical events of the EAC

|  |  |
| --- | --- |
| Period | Critical periods of EA Integration  Events/Developments |
| 1889-1901 | **Building of the Kenya-Uganda railway** |
| 1921-1923 | **The three countries form a customs union** |
| 1947-1961 | **EAHC established by orders-in-council of the British government** |
| 1961-1966 | **Establishment of EA Common Services organization** |
| 1967-1977 | **Establishment of the EAC, incorporating the EAHC and the EA Common Services Organization** |
| 1977 | **Collapse of the EAC** |
| 1984 | **EA mediation agreements for dividing assets and liabilities** |
| November 1993 | **Signing of Agreement for the Establishment of the Permanent Tripartite Commission for EA Co-operation** |
| March 1996 | **Secretariat of the Permanent Tripartite Commission launched, full co-operation begins** |
| 1996 | **EAC secretariat launched, providing for a re-launch of the EAC** |
| November 1999 | **Signing of the EAC treaty setting out the principles for economic, social and political co-operation. In force July 2000** |
| January 2001 | **Launch of the second EAC** |
| March 2004 | **Signing of the customs union protocol** |
| September 2004 | **Committee created to fast-track the establishment of a political federation** |
| January 2005 | **The customs union comes into force** |
| June 2007 | **The Republic of Rwanda and the Republic of Burundi accede to the EAC Treaty** |
| July 2007 | **Rwanda and Burundi become full members of the EAC** |

Source: (Ajulu et al. 2005:214) & <http://www.eac.int/index.php/about-eac/quick-facts/34-body-text-area/169-quick-facts.html>, [Assessed 12/12/2008]



# Appendix 5: Persons, Organizations and Authorities consulted:

|  |  |
| --- | --- |
| **Name** | **Affiliation** |
| Arne Tostensen (Mr.) | Senior Researcher CMI, Oslo, Norway |
| Kwesi Kwaa Prah (Mr.) | Director of Centre for Advanced Studies of African Society (CASAS), Cape Town, South Africa |
| Owora Richard Othieno (Mr.) | Assistant PR Director EAC, Arusha, Tanzania |
| Annie Barbara Chikwanha (Mrs.) | Senior Researcher, The Institute for Security Studies, Nairobi, Kenya |
| Anastase Shyaka (Mr.) | Vice Rector at the National University of Rwanda, Butare Rwanda |
| Adala Ochieng (Mr.) | Retired Ambassador, Senior Programme Officer, African Peace Forum, Nairobi, Kenya |
| Razia Warigia Kamau (Mrs.) | USAID, Conflict Management & Rule of Law specialist, GJD office, Nairobi, Kenya |
| Edwin Mang’eni Barasa (Mr.) | Director of programmes, Africa Peace Forum, Nairobi, Kenya |
| Mary Makoffu (Mrs.) | Principal Economist (social sector), EAC Project & Programmes department, Arusha, Tanzania |
| Judy Kamanyi (Mrs.) | Executive Director, Kituo Cha Katiba, Kampala, Uganda |
| Joe Oloka-Onyango (Mr.) | Director, Human Rights and Peace Centre, Kampala, Uganda |

# Appendix 6: private sector & regional CSO’s in EA:

|  |  |
| --- | --- |
| Sector | Name of regional organization or network |
| Constitutional development, democratic reform, human rights | **Kituo Cha Katiba: The EA Centre for Constitutional Development** |
| Trade union | **EA Trade Union Council** |
| Trade & Finance | **EA Business Council (EABC), EA Communities’ Organization for Management of Lake Victoria Resources (ECOVIC)** |
| Student Union | **EA Youth Council** |
| Justice & good governance | **EA Magistrates´ and Judges Association (EAMJA)** |
| Labor Union | **The Association of Professional Societies in East Africa (APSEA)** |
| Umbrella organization for int. CSO’s | **International council for Social Welfare** |
| Regional handicraft network | **EA Jua Kali/Nguvu Kazi** |
| Justice & human rights | **EA Law Society (EALS), EA Human Rights Institute (EAHRI)** |
| Leadership summer school for university students | **Uongozi Institution** |
| Faith based organization | **Fellowship of Christian Councils and Churches in the Great Lakes and Horn of Africa (FECCLAHA)** |
| Peace & Security studies, conflict prevention & response | **Africa peace forum (APFO)** |
| Umbrella organization for HIV/AIDS org. | **EA networks of HIV/AIDS service organizations (EANNASO)** |
| NGO/CSO association | **EA Support Unit for NGOs (EASUN), EA civil society forum (EACSOF), Regional Integration Civil Society Network for East Africa (RECINET)** |

Source: [www.eac.org](http://www.eac.org) & [www.issafrica.org](http://www.issafrica.org) [accessed 3/1/2009 & 4/1/2009]

# Appendix 7: SSI Telephone questionnaire checklist:

# Appendix 8: Typology of participation

|  |  |
| --- | --- |
| Typology | Type Characteristics |
| 1. Manipulation | A pretense for involvement, but no real power, token participation where people are represented on boards or committees for show, but have not decision power in the institution |
| 2. Passive participation | People participate by being told what is going to happen or has already happened. It is a unilateral announcement by an administration or project management without listening to people’s responses. The information being shared belongs to external professionals |
| 3. Participation in information giving | People participate by answering questions posed by extractive researchers and developers. People do not have the opportunity to influence proceedings, as the findings of the research are neither shared or checked for accuracy |
| 4. Participation by consultation | People participate by being consulted, and external people listen to views. External professionals define both problems and solutions, and may modify these in the light of people’s responses. The consultative process does not concede any share in decision making, and professionals are under no obligation to take on broad people’s views |
| 5. Participation for material incentives | People participate by providing resources such as labor and land, in return for food, cash or other material incentives. People have no stake in prolonging activities when the incentives end |
| 6. Functional participation | People participate by forming groups or committees which are externally initiated. Groups/committees are seen as means to achieve predetermined goals. The groups tend to be dependent on external initiations and facilitators, but may eventually become self dependent |
| 7. Interactive participation | People participate by being involved in analysis and development of action plans, for example. Participation is seen as a right and not just a mechanical function. Groups may be formed and together with partners (donors agencies) make use of systemic and structured learning processes. Groups take control over local decisions, and so people have a stake in maintaining structures or practices |
| 8. Self mobilization | People participate by taking initiatives to change systems independent of external institutions, although the latter can help with an enabling framework. They retain control over how resources are used. Such self initiated mobilization and collective action may or may not challenge existing inequitable distribution of wealth and power |

Source: (Jules N. Pretty et al. 2001:61 & Mikkelsen 2005:59-60)

# Appendix 9: Partitioned communities in the Great Lakes Region

|  |  |
| --- | --- |
| Boundaries | Partitioned Communities |
| Kenya-Ethiopia | **Somali** |
| Kenya-Somalia | **Somali** |
| Kenya-Sudan | **Turkana, Danyiro** |
| Kenya-Tanzania | **Maasai, Luo, Kurya, Jaluo, Coastal Communities** |
| Kenya- Uganda | **Teso, Luya, Luo, Karopakot, Turkana, Marukwet, Samia, Hesu, Seuei, Bagisu** |
| Tanzania-Mozambique | **Makonde, Yao, Ngoni, Matengo, Makua, Ngonde, Nyasa** |
| Tanzania-Malawi | **Ngonde, Nyasa** |
| Tanzania-Zambia | **Mambwe, Nyamwanga** |
| Tanzania-Burundi | **Burundi** |
| Tanzania-Rwanda | **Ha, Haya, Zinza, Hangaza, Banyarwanda** |
| Tanzania-Uganda | **Haya** |
| Tanzania- DRC | **Boyo** |
| Uganda- DRC | **Alur, Batoro** |
| Uganda-Rwanda | **Banyarwanda** |
| Uganda-Sudan | **Acholi, Kakwa, Jiya, Alur, Lango, Dongatona** |
| Rwanda- DRC | **Banyarwanda, Banyamulenge, Banyamasisi** |

Source: (C.S.L Chachage 2003:62)

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1. “*An observer may: be invited to participate in any or more meetings if an organ of the Community, have access to the documents of the Community provided that these deal with the matters of interest to the observer concerned and are not confidential; and, at the request of a chairperson of the meeting, make a statement on a matter of interest to the observer provided that the text of such statement has been given to the chairperson of the meeting through the Secretary General, prior to the meeting. An observer does not have the right to vote. The grant of observer status is the prerogative of the Council of Ministers”* (Lubega-Kyazze 2005:42). [↑](#footnote-ref-2)
2. According to Kanyinga & Katumanga, social citizenship entails “*claiming and protecting rights, entitlements and obligations of individuals…”* [and ensuring that the state]“*abides by the obligation to be accountable to the society especially by promoting access to social livelihoods”.* (Kanyinga & Katumanga 2003:157) [↑](#footnote-ref-3)
3. According to Oloka-Onyango; ”*Utake – connoting* ***U****ganda,* ***T****anzania and* ***K****enya- is the name the youth in East Africa use to describe not only their cultural identity (music and language, etc), but also their aspirational horizons that transcend the exsisting geopolitical boundaries of the countries in the region.* (Oloka-Onyango 2004:2) [↑](#footnote-ref-4)